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EPISTEMIC POWER OF FRONTEX.

Analysis of the discourse on undocumented migration.

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“The best way to predict the future – is to create it”

[FRONTEX, 2011; Executive Summary:5]

1. INTRODUCTION

1.1 Public discourse on immigration in the European Union

On 1 January 2014 Greece assumed its six-month presidency of the European Union and officially declared that it would “have to deal with huge problems and great challenges” [Riegert, 2014]. The Greek presidency has therefore formulated three policy areas of its priority focus which have the crucial importance for the Community – *Growth-Jobs-Cohesion*; *Further integration of the EU-eurozone* and *Migration-Borders-Mobility* [Greek presidency, 2013:6]. That is how the official programme of the presidency explains the key objectives of the latter field of action:

Instability in the European periphery, together with the perseverance of the causes that lead to immigration flows into Europe, increase these flows and place an **extra burden on EU member states**, in a period of economic crisis, when all forces and efforts should be focused on reforms aiming at safeguarding stability and revitalizing growth. **This burden falls mainly on the EU member-states that are on Europe’s external borders, as well as on those heavily affected by recession and unemployment.** In this context, the Greek Presidency will concentrate its efforts at highlighting the positive aspects of a comprehensive migration management to the benefit of boosting growth and will spare no efforts in promoting all dimensions of migration and mobility policies. At the same time, **action is envisaged to tackle the problems arising from illegal¹ migration in economy, social cohesion and political stability** [Greek presidency, 2013:7]

This extract reflects several essential points which are observed in the public discourse on immigration in the European Union. First of all, immigration in

¹ In this dissertation the term “undocumented” will be applied for referring to immigrants who enter/try to enter the territory of the European Union without required authorization. The terms “illegal” and “irregular” will be used only in quotations and in the expression “FRONTEX’ discourse on illegal immigration” in order to emphasize the terminology used by the agency. The terminological difference is discussed in detail on p. 49.

general is presented as a “burden” for the Member States which can potentially impede the economic reforms and have a serious impact on the level of economic prosperity and welfare of European citizens. Secondly, one can observe a clear separation and contraposition between the European Union’s population and the immigrants from the “European periphery”. Finally, special emphasis is made on the problem of “illegal migration” which presents a danger for the Community’s political, economic and social spheres. Taking all this into consideration, the Greek presidency has suggested to pay special attention to “fighting illegal migration, with a focus on readmission and return as well as on fighting human trafficking and building institutional capacities for better border management” [Greek presidency, 2013:7].

The problem of immigration in general and undocumented migration in particular is one of rather uncommon examples when the opinion of the majority of citizens of the European Union unconditionally coincides with the official position of the Community’s policy makers. According to the international survey conducted in 2011, over 65% of British, Italians and Spaniards polled strongly or partly agreeing that “there are too many immigrants” in their countries and that immigration had a “very of fairly negative impact” [EurActiv, 2011]. The majority of people who took part in the survey in most EU countries agreed as well that immigration had made it more difficult for citizens to find employment and “placed too much pressure on public services,” such as health care and education [Ibid]. This reflection of public opinion can be considered as an indispensable element of the official immigration policy of the EU, taking into account that “the shaping of migration policies is the result of a complex process in which public opinion and the various participants in the public debate play a significant role” [OECD, 2010:116]. The overwhelming rejection of immigration processes by European citizens arises a question on the reasons of this unacceptance and the information sources which exert influence on this opinion.

This question refers us to the conception of social constructionism which strives for defining the nature and construction of knowledge in order to determine how it emerges and how it comes to have the significance for society [Andrews,

2012]. In this context, Burr (2003) has suggested that social understandings and identities originate not from inside the person but from the social realm in which this person lives. In this case, specific knowledge is created by the interactions within society and then internalized by individuals through the medium of language [Berger and Luckman, 1991, cited in Andrews, 2012]. Within the framework of social constructionism theory, language is therefore not an “unproblematic means of transmitting thoughts and feelings” but rather a tool which “makes thoughts possible by constructing concepts” [Andrews, 2012]. This means that language has the capacity to predate concepts and shape certain understandings and ideas of its addressees in the context of the certain discourse. The term *discourse* in this case simultaneously indicates the represented ideas, which may come in a variety of forms as well as content, and the interactive processes by which these ideas are conveyed [Schmidt, 2008:309].

1.2 FRONTEX and its role in the public debates on undocumented migration

The public discourse on illegal immigration in the European Union encompasses a great number of actors who participate in sharing their ideas and understandings of the situation and the measures which should be undertaken for effective control of the external borders of the EU – national governments, institutions of the EU, mass media, non-governmental organizations, human rights movements, etc. Among this multitude of actors, this dissertation suggests to focus attention on the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX). The agency was created in 2004 “with the main aim of supporting operational cooperation amongst EU Member States with regard to the management of the external borders” [Leonard, 2011:2]. According to the President of the European Commission J.M. Barroso, FRONTEX as one of EU agencies is “an essential part of the EU and plays a key role in the implementation of its policies” and serves as a “satellite picking up signals on the ground, processing them, and beaming them back and forth” [FRONTEX, 1 December 2006]. Moreover, Mr. Barroso has considered as

“being of outmost importance” the fact that FRONTEX “through its activities contributes to making Europe closer to the European citizens and hopefully easier to understand” [Ibid]. Indeed, since the start of its operational activities in 2005, FRONTEX has been regularly appealed to as an expert source in the framework of public debates on immigration and border control and has played an important role in border guard trainings and border patrol operations which have been always well covered in the media [Horsti, 2012:299].

FRONTEX was created by Council Regulation EC 2007/2004 of 26 October 2004 “with a view to improving the integrated management of the external borders of the Member States of the European Union” [Council of the European Union, 2004:349/3]. Article 2 of the Regulation determines the main tasks of the agency, which are as follows: (1) coordinating operational cooperation between the Member States regarding the management of external borders; (2) assisting the Member States in the training of national border guards, including establishing common training standards; (3) conducting risk analyses; (4) following up on developments in research relevant for the control and surveillance of external borders; (5) assisting the Member States when increased technical and operational assistance at external borders is required; and (6) assisting the Member States in organising joint return operations [Council of the European Union, 2004:349/4]. At the same time, the official web-site of the agency contains the following information about its main activities:

- FRONTEX plans, coordinates, implements and evaluates joint naval, aerial and land operations conducted using the Member States’ staff and equipment at the external borders;
- FRONTEX is responsible for developing common training standards and specialist tools for border guards and officers across the European Union;
- FRONTEX collates and analyses intelligence on the ongoing situation at the external borders, which is compiled from border crossing points and other operational information as well as from the Member States and open sources including mass media and academic research;
- FRONTEX serves as a platform to bring together Europe’s border-control personnel and the world of research and industry to bridge the gap between technological advancement and the needs of border control authorities;

- FRONTEX assists the Member States in coordinating their efforts in return of foreign nationals to their home countries and tries to maximise efficiency and cost-effectiveness while also ensuring that respect for fundamental rights and the human dignity of returnees is maintained at every stage [FRONTEX' website, Mission and Tasks].

It should be mentioned that according to FRONTEX Executive Director I. Laitinen, the agency is above all coordinating body with very few executive powers, taking into account that it is dependent on executive political leadership of the European Commission and the Member States, does not have the capacity to make political decisions about launching operations and aims to facilitate co-operation between the Member States and with third countries [Laitinen, 2006]. Having no operational assets of its own, its major operations are dependent on contributions of resources by Member States [Neal, 2009:347]. Indeed, the Regulation clearly defines that “while responsibility for the control and surveillance of external borders lies with the Member States, the Agency shall facilitate and render more effective the application of existing and future Community measures relating to the management of external borders” [Council of the European Union, 2004:349/3].

The main mechanism of control on the activities of the agency by the European Commission and the Member States is the Management Board, to which FRONTEX Executive Director is accountable [Leonard, 2009:382]. The Management Board of FRONTEX is composed of one representative of each Member State and two representatives of the European Commission, who are “appointed on the basis of their degree of high level relevant experience and expertise in the field of operational cooperation on border management” [Council of the European Union, 2004:349/7]. Each member of the Management Board has one vote, whereas the Executive Director has no vote, but can take part in the deliberations of the Board [Ibid]. The headquarters of the agency is situated in Warsaw.

Thanks to its generally recognized reputation of a competent expert in the sphere of border control and through its active participation in the public

discourse on migration issues, the agency has obtained the possibility to share its vision and express its understandings of the discussed problems. It will be therefore pertinent to assume that through its discourse FRONTEX may have the capacity to transmit certain thoughts and to shape certain visions on the mentioned above issues among the audience of the discourse. In what follows, the review of existing literature on FRONTEX will be made in order to see whether this capacity of the agency has been already analysed by the scholars, and whether it may potentially empower FRONTEX and therefore contribute to reinforcing its role in the public discourse on illegal immigration and control of the external borders of the European Union.

1.3 Literature review

During almost ten years of its existence, FRONTEX has received a relatively limited amount of attention within academic writing [Burrige, 2012:11]. Indeed, the number of works dedicated specifically to various aspects of the agency's activities and practices is rather small, especially in comparison with substantial attention and criticism of FRONTEX' activities coming from human rights movements and non-governmental organizations. Furthermore, the scholars are paying even less attention to FRONTEX' power analysis and usually include its elements in more general works in which FRONTEX serves as one of the examples but not as the principal object of studies. Thus, FRONTEX is often mentioned in the works on institutional structure of the European Union in the context of delegation of power to EU agencies (e.g. Barbieri, 2008; Busuoic, 2013; Egeberg and Trondall, 2011; Groenleer, 2009; Wonka and Rittberger, 2010). These works analyse the conditions of creation of the agencies, their accountability and the level of their independence from the national governments, the Council and the European Commission through the prism of institutional and regulatory power without, however, paying particular attention to FRONTEX. The scholars have also examined the role of FRONTEX in implementation of the concept of integrated border management and EU common policy on its external borders (Jorry, 2007; Kaunert, 2009; Monar, 2006). At the same time, it should be said that the first years of the agency's

existence have not been marked with a sufficient number of research works dedicated to its role and activities.

However, the last several years have demonstrated increased interest of the researchers in analyzing FRONTEX' activities. In what follows, the most significant of them will be briefly overviewed with a special focus on two aspects – power concepts applied by the scholars for their analysis and examination of the agency's discursive strategies as a constitutive element of FRONTEX' possible empowerment. The majority of works on FRONTEX are specifically concentrated on establishment and operational activities of the agency, especially in the context of securitization of migration (e.g. Pollak and Slominksi, 2009; Kasperek, 2010). While speaking about the agency's power, the authors usually appeal to coercive power conception in FRONTEX' operational activities. Thus, Leonard (2011) has analyzed the “contribution of the activities of FRONTEX (...) to the securitization of asylum and migration in Europe” by arguing that “all the main activities of the agency can be considered to be securitizing practices” [Leonard, 2011:1]. Being guided by the so-called “sociological” approach to securitization (Bigo, 1998; Balzacq, 2010) which “privileges the role of practices over that of discourses in securitization processes”, Leonard has not extended her research on other types of the agency's activities and has limited the scope of her work only by studying FRONTEX joint operations. The author has emphasized that “although FRONTEX does not have overall responsibility to organise joint return operations”, its operational activities seriously contribute to securitization of asylum and migration in Europe altogether with its other activities as training of national border-guards, risk analysis and the follow-up on border security-related research [Leonard, 2011:29]. Even if the author has not explicitly highlighted the power aspect in her analysis of FRONTEX' activities, she has however devoted a considerable attention to description of FRONTEX joint operations by evaluating their results as “semi-militarisation of border controls and thereby a securitization of migration flows given the traditional role of the military in addressing security issues” [Leonard, 2011:17].

Coercive measures applied by FRONTEX during maritime operations and forced returns of undocumented migrants have been also analysed by several authors (e.g. Klepp, 2008; Papastavridis, 2010; Dunwald, 2012). Carrera (2007) has analysed the activities of FRONTEX in the context of development of the EU model of integrated border management and common immigration policy by considering the agency as the “main institutional instrument responsible for making the EU border management agenda work on the ground” [Carrera, 2007:1]. According to the author, the agency’s main function is to join under its umbrella “coercive measures and surveillance technology, as well as the deployment of an improved system of coordinated actions” between the Member States in the management of the external borders [Carrera, 2007:1]. In his work, Carrera has criticized a high level of secrecy, as well as a lack of transparency and democratic accountability of the agency which should have been addressed as a “matter of urgency” before further development of FRONTEX’ competences and operational tools [Carrera, 2007:2]. By the example of FRONTEX joint return operations Hera I and Hera II undertaken in the Canary islands, Carrera has pointed out two main manifestations of the agency’s coercive power – “externalization of EU border control² and prevention of irregular migration” in order to apprehend and detect the migrants’ boats [Carrera, 2007:21]. Taking into consideration possible implications for human rights as a result of “coercive control” undertaken by FRONTEX, Carrera makes a conclusion that the agency is a “body whose compliance with the principle of legality may be open to debate” [Carrera, 2007:27].

Another attempt to analyse FRONTEX’ activities has been undertaken by Baldaccini (2010), who has focused his attention on sea joint operations conducted by FRONTEX in the context of “legal and jurisdictional aspects of maritime border control as operated by this Agency” [Baldaccini, 2010:229]. The author has examined how FRONTEX’ coercive measures during sea operations correspond to operational plans of the European Union, Community law in this area and international obligations of the Member States. By stressing

² In the context of his work, by “externalization of EU border control” the author means “expansion of surveillance and coercive control to the African coasts” [Carrera, 2007:25]. In a more general sense, this notion can be relevant to any region beyond the borders of the EU implicated in FRONTEX’ operations.

the fact that “it is not clear how the guarantees and protections under the EU legal framework can be applied to joint border operations, or how compliance with international obligations with regard to the conduct of these operations” is assured, Baldaccini has argued that there are “special concerns for human rights protection in connection with FRONTEX-led sea operations” [Baldaccini, 2010:229]. The author has considered FRONTEX’ accountability and control over its activities to be not sufficient, especially in the domain of respect to human rights during its joint operations.

Some authors focus their attention on more specific domains of FRONTEX’ activities, like for example Burridge (2012) who has examined the functioning of Rapid Border Intervention Teams (RABITs) of FRONTEX as “emergency responses to migration at the external borders” in the context of integrated border management [Burridge, 2012:3]. The author argues that FRONTEX emergency operations can be used as justification for long-term or even permanent operations, and the expansion of border control practices through the presence of FRONTEX trained border guards operating across various Member States that possess an external border of the EU [Burridge, 2012:4]. It is noteworthy to mention, that in his research Burridge has decided to make a “discourse analysis of FRONTEX and European Commission policy documents, press releases and annual reports, as well as media reports” [Burridge, 2012:13], but his work is concentrated on operational activities of the agency and therefore does not explain the agency’s capacity to shape key understandings and ideas through its discourse.

One of the most comprehensive and fundamental works on FRONTEX, which has analysed creation, remit and practices of the agency, is the article of A. Neal (2009). The author has argued that “although the responses to 9/11 issued by the key EU institutions made clear ‘securitizing’ links between terrorism, security, migration and borders, FRONTEX was not the outcome of that securitization, but rather of its failure” [Neal, 2009:334]. According to Neal, the agency “was established not on the basis of securitization, exceptional politics and urgency, but in response to the disintegration of a common EU response to migration, security and borders” [Neal, 2009:346]. The author has

partially examined the agency's institutional and regulatory power through the modality of risk, which is for him the central concept for analysis of the agency's activities in contrast to security and therefore securitisation. It should be said as well, that Neal is one of not numerous scholars who has included in his work on FRONTEX some elements of discourse analysis but in a rather limited scope. The author has paid particular attention to the conceptions of security and risk in the constitutive documents and publications of the agency in order to demonstrate the prevalence of the notion of *risk* in FRONTEX' discourse. In the conclusion, Neal has suggested to consider the activities of the agency not in the context of securitization but more through the prism of Bigo's [Bigo, 2002] concept of *governmentality of unease which* "offers a way to consider the linking of terrorism, security, migration and borders that does not assume the importance of a dramatic invocation of existential threats and exceptional measures" [Neal, 2009:352].

Institutional power of FRONTEX has been analysed in the work of Leonard (2009) in the framework of the agency's activities and authorities. The author has analysed the institutional issues associated with the establishment and the work of FRONTEX with a particular focus on the question for what reasons the "Member States chose to create an agency, rather than establish another form of cooperation" [Leonard, 2009:371]. According to Leonard, the creation of FRONTEX was a "product of power struggles within the EU" [Leonard, 2009:385], particularly between its three major bodies – the Council of the EU, the European Commission and the European Parliament. Leonard has analysed the establishment of FRONTEX in the context of delegation of powers and has paid particular attention to the mechanisms of control over FRONTEX' activities. Arguing that "[every] decision to delegate essentially involves two choices – what powers to delegate and what institutional control mechanisms to craft", Leonard has come to a conclusion that institutional capacities of FRONTEX are rather limited as the agency is under strict control of the Member States. The whole range of control mechanisms as accountability to the Management Board, budgetary control, reviews of activities, etc. are supposed to "avoid any unwanted "drifts" in the activities of FRONTEX" [Leonard, 2009:385].

The work of Perkowski (2012) “assesses FRONTEX according to its own goals and values” and seeks to answer the question whether “FRONTEX’ working arrangements, practices and the implications thereof match the values and aims aspired to in its foundation” [Perkowski, 2012:4]. In a critical manner the author has argued that “there are numerous tensions between fundamental values and the goals FRONTEX was set up to accomplish, which are demonstrated in its management as well as operational work” [Perkowski, 2012:5]. It is important to mention that Perkowski has paid attention to strengthening of FRONTEX’ human rights discourse as an attempt to resolve the tensions between the declared goals of the establishment of the agency and its activities which cause considerable violations of human rights.

In fact, it is only in last few years that the scholars have started to take an interest in the analysis of FRONTEX’ discourse on illegal immigration. Despite the absence of comprehensive works in this domain, the article of Horsti (2012) on humanitarian discourse in FRONTEX’ public communication deserves special attention as the author has for the first time undertaken the detailed analysis of the agency’s discursive strategies and practices with the emphasis on victimization of migrants, criminalization of facilitators and humanitarian component in FRONTEX’ discourse (when the activities of the agency are presented as saving undocumented migrants’ lives), which is considered by Horsti as an attempt to provide a “justification for different types of security practices, including high-technology surveillance mechanisms, and as a justification to spend member states’ resources on FRONTEX” [Horsti, 2012:309]. At the same time, the work of Horsti has several reservations which have not permitted to effectuate a more profound analysis of FRONTEX’ discursive techniques. First of all, the author has chosen as the main source for analysis the agency’s press releases without resorting to examination of other types of FRONTEX’ documents and publications which give a rich basis for analysis. Moreover, Horsti has not drawn the connection between the agency’s discourse and its empowerment by the relevant discursive techniques contained in it. However, this work can serve as a good starting point for a more comprehensive analysis of the agency’s discourse.

1.4 Research question and arguments

The review of the available literature dedicated to different aspects of creation, activities and role of FRONTEX has clearly demonstrated that the analysis of the agency's power in examined works is rather limited as it is undertaken only in the framework of trichotomy of concepts of coercive, institutional and regulatory power. Most researchers have focused their attention either on analysis of FRONTEX' operational activities or on the place of FRONTEX in the institutional system of the European Union. The analysed power concepts are traditionally attributed to FRONTEX by all the scholars even if they happen to disagree in the question of the extent of these types of power possessed by the agency. At the same time, this trichotomic approach does not disclose all the nuances of FRONTEX' power, as the scholars are frequently neglecting other aspects of FRONTEX' power and this disregard does not allow them to see the full extent of influence which is exercised by the agency on shaping certain understandings and constructing certain problems through its discourse on illegal immigration. This dissertation suggests that this occurs because of the limited conception of power which is applied by the researchers while analyzing FRONTEX' activities and that more comprehensive power analysis should be undertaken in order to observe the full scale of the impact made by the agency. Therefore, this work attempts to alleviate the gap in the research on power analysis of FRONTEX and offers to focus attention on the least examined in the existing literature type of its power – power to create certain truths, problems and their solutions through its discourse on illegal immigration. This type of power can be well illustrated by a well-known expression of M. Foucault:

Power is everywhere: not because it embraces everything, but because it comes from everywhere. Power is not an institution, nor a structure, nor a possession [Foucault, 1998:93]

The type of FRONTEX' power which will be analysed in this dissertation is not similar with coercive, institutional or regulatory power which are traditionally analysed in the existing literature. It is not “possessed” by the actor and cannot be realized directly as coercive measures or institutional authorities as it

functions at the more invisible level. Using the term which has been introduced by A. Leander (see p. 21), this concept can be defined as *epistemic power* and consists in construction of certain ideas, understandings and truths through the public discourse. Taking this into account, the research question of the dissertation can be formulated as follows:

By what means is epistemic power of FRONTEX constituted in its discourse on illegal immigration?

Having as a depart point the key thesis of the conception of social constructionism that identities and understandings are created through the medium of language (see p. 6), the dissertation argues that epistemic power of FRONTEX is constituted through various discursive strategies, techniques and devices which are used in the agency's discourse on illegal immigration.

In order to answer the research question, in what follows this dissertation presents the detailed analysis of FRONTEX' documents and publications with the objective to define the main tools, which have the potential to empower the agency through its discourse. Section 2 demonstrates the necessity to undertake a more comprehensive power analysis of FRONTEX than it has been done before in the existing literature to reveal the full extent of the agency's power of shaping understandings and ideas among the audience of its discourse. It defines the conception of epistemic power and examines its main features. Section 3 offers the profound analysis of FRONTEX' discourse in order to demonstrate the key discursive strategies, practices and techniques used by the authors of the agency's documents for constructing truths and ideas in the way which is advantageous for the agency. Finally, Section 4 contains discussion of the effects of the analysed discursive elements and provides the conclusions on whether they contribute to constitution of the agency's epistemic power.

2. THEORETICAL FRAMEWORK

2.1. Towards a broader concept of power

Being one of the most central and at the same time contentious concepts in social and political sciences, power and its analysis have always attracted attention of numerous scholars and researchers [Béland, 2006:1]. The thesis on the necessity of broader power analysis, which allows examining some new facets of power which have not been studied before, has become the central idea of one of the basic academic works in this domain – *Power: A Radical View* by Steven Lukes. In his book, which spawned a large debate among conceptual theorists, Lukes has addressed a fundamental question for scholars of political science – how to think about power theoretically and how to study it empirically [Lorenzi, 2006:87]. The principal argument used by Lukes is that while analyzing power realized by an actor, it is necessary to think about power broadly and to pay attention to those power aspects that are least accessible to observation [Lorenzi, 2006:88]. The author emphasizes on the fact that the effects of power are not exhausted by decision making and agenda construction but can possibly operate at a deeper and more invisible level [Swartz, 2005:2]. In the case of FRONTEX, this argument allows to broaden the extent of analysis of the agency's power and to step aside from examination of FRONTEX' operational activities and institutional authorities which present a traditional subject of studies, as it has been shown in the previous chapter.

Notwithstanding the prevalence of the conception of domination (in both coercive and non-coercive forms), which does not have direct link with the type of power examined in this dissertation, Lukes' work contains a theoretical substantiation which can serve as a valuable starting point for analysis of FRONTEX' epistemic power. It is noteworthy to mention, however, that domination is defined by Lukes as “the capacity to secure compliance to domination through the shaping of beliefs and desires, by imposing internal constraints under historically changing circumstances” [Swartz, 2005:3]. Therefore, the scholar has admitted that the actor's power analysis should

include the aspect of exerting influence on forming certain understandings and ideas.

Lukes has formulated several basic rules which were supposed to assist in avoiding a “limited” approach to power analysis. First of all, a broad definition of power according to Lukes should not commit the effect, called by the author “*exercise fallacy*” – this means that power analysis should not be limited by focusing to the visible exercise of power [Swartz, 2005:2]. One needs rather to think of power as a capacity or ability that may or may not be explicitly activated in given situations [Ibid]. Furthermore, according to Lukes the definition of power should not be limited to only asymmetric power relations (“*power over*”) which is characterized by direct domination of one subject over the other [Ibid]. The author has broadened the sphere of power analysis by including also the concept which can be called “*power to*”. Being influenced by the ideas of M. Foucault, Lukes has emphasized that power should not be presented exclusively in zero sum terms because it has the capacity not only to repress (*power over*) but also to create new significant effects (*power to*) [Swartz, 2005:3]. Lukes’ work is particularly based on Foucault’s idea about productive dynamics and effects of power:

We must cease once and for all to describe the effects of power in negative terms: it ‘excludes’, it ‘represses’, it ‘censors’, it ‘abstracts’, it ‘masks’, it ‘conceals’. In fact, power produces; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production [Foucault, 1979:194]

In order to create an effective and comprehensive model of power analysis, Lukes has singled out three *power dimensions* or *views*, each one with its own distinguishing features. According to the one-dimensional view, power is conceived of as intentional and active: it should thus be measured through the study of its exercise with the focus on decision-making behavior [Lorenzi, 2006:90]. This approach is mostly based on R. Dahl’s work “*Who Governs? Democracy and Power in an American City*” [Dahl, 1961] and is, therefore, related to “the study of concrete, observable *behavior*” of actors [Lukes,

2005:17]. Lukes considers the first view of power as very limited, taking into account that power is not only reflected in concrete decisions and, thus, proceeds to the second dimension which originates from the idea that individuals or groups can limit decision-making to relatively non-controversial issues by influencing community values and political procedures and rituals [Lorenzi, 2006:90]. Moreover, the two-dimensional model suggests that power may also be located in the capacity to create or reinforce barriers to the public airing of policy conflicts [Bachrach and Baratz, 1970:8]. This model, therefore, examines both decision-making and non-decision-making – decisions designed to avoid the emergence of values and interests contrary to those of the decision-maker [Lorenzi, 2006:91]. According to Lukes, the two-dimensional view of power is limited in that it focuses only on observable conflicts, whether overt or covert – the author claims that A can also exercise power over B by influencing, shaping, or determining his wants and preferences [Ibid]. That is why Lukes has elaborated the third dimension of power which is particularly important for the power analysis which will be undertaken in this dissertation. Third dimension of power suggested by Lukes is ideological in nature and is based on the following question formulated by the author:

Is it not the supreme and most insidious exercise of power to prevent people, to whatever degree, from having grievances by **shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things**, either because they can see or imagine no alternative to it, or because they see it as natural and unchangeable, or because they value it as divinely ordained and beneficial? [Lukes, 2005:28]

Therefore, in order to undertake a more comprehensive power analysis of FRONTEX, addressing to the third dimension of power will allow finding an appropriate model of analysis which has not yet been captured by the existing literature because of the limited concept of power that they scholars have used. This model should give an opportunity to analyse the agency's power on a "deeper and more invisible level" than it has been done in the literature before.

2.2 Conception of epistemic power

Lukes' third dimension of power has become the basis for the work of A. Leander on private military companies (PMCs) in which the author argues that emergence of PMCs has shifted the location of this power from the public/state to the private/market and, even more significantly, from the civil to the military sphere [Leander, 2005:803]. In order to demonstrate this shift, Leander has examined in what way PMCs can shape security understandings of key actors and hence their interests and preferences [Ibid]. Paying attention to the fact that PMCs have gained considerable power over security understandings and discourses, Leander mentions that they also increasingly shape which issues and problems are turned into existential threats (securitized) and which kind of reaction is to be considered more appropriate [Leander, 2005:804]. The following passage explains Leander's logic and introduces the key term which will be used in this dissertation for FRONTEX' power analysis – *epistemic power*:

Power analysis needs to include the **indirect effects** PMCs can have on other actors' interests by **influencing their understanding of security**. This asks for an analysis of **how the relevant actors consciously try to influence security discourses**. Here, this power to affect the meaning in discourses is called, for lack of another term, **epistemic power**, since it works through and by **affecting the knowledge of actors** [Leander, 2005:811]

Epistemic power according to Leander, thus, consists in the agent's capacity to shape certain understandings of other actors by influencing the relevant discourses in order to affect the knowledge of the audience. The author, however, fails to define the exact reason of choosing the term *epistemic* and mentions that this choice was stipulated by the "lack of another term". In order to substantiate the use of the notion *epistemic* in this dissertation, it is noteworthy to refer to the notions of knowledge and epistemes in various interpretations of power effects. The first reference point here is Foucault's formulation of power/knowledge nexus:

No body of knowledge can be formed without a system of communications, records, accumulation and displacement which is in itself a form of power and which is linked, in its existence and functioning, to the other forms of power. Conversely, **no power can be exercised without the extraction, appropriation, distribution or retention of knowledge.** On this level, there is not knowledge on one side and society on the other, or science and the state, but only the fundamental forms of knowledge/power [Foucault cited in Sheridan 1980: 283]

Therefore, power can be characterized as a “disposition ...that depends on knowledge” and its capacity to be productive is often followed by fixing certain meanings [Adler and Bernstein, 2005:294]. At the same time, the notion of knowledge rests rather vague and broad. One of the most well-aimed definitions of knowledge in this context has been given by Adler and Bernstein:

Knowledge is the cumulative set of normative, ideological, technical, and scientific understandings that individuals carry in their heads, and that may be stored in books, libraries, and technical plans and technologies [Adler and Bernstein, 2005:295]

Power analysis of the actor undertaken in the framework of knowledge distribution appears to be in this context quite limited, as in this case the matter would concern only some precise information or well-known truths which cannot really demonstrate the extent of power of the actor. Effectuating more profound analysis demands therefore operating with more comprehensive notions. In their work, Adler and Bernstein examine the conception of *epistemes* which present an integral part of knowledge but possess more distinct and precise meaning. According to the authors, epistemes are the “*background intersubjective knowledge – collective understandings and discourse – that adopt the form of human dispositions and practices that human beings use to make sense of the world*” [Adler and Bernstein, 2005:295]. Epistemes, therefore, distinct from knowledge in its general form, have much stronger “interpretation” side – discursive practices and techniques aimed at shaping certain ideas and understandings among the audience do not have the features of well-known truths or facts. In this case, analysis of epistemic power

successfully corresponds to Lukes' appeal for examining the aspects of power which are "least accessible to observation" at the "more invisible level" (see p. 18).

Adler and Bernstein compare epistemes with "bubbles within which people happen to live, the way people construe their reality, their basic understanding of the causes of things, their normative beliefs, and their identity, the understanding of self in terms of others" [Adler and Bernstein, 2005:296]. At the same time, the authors emphasize the fact that epistemes are constituted by social relations and agents and, therefore, have the capacity to endow them with the authority to determine valid knowledge. In this sense, epistemic power of the agent has the potential to construct social reality and enable the actor to exert influence of shaping certain understandings and ideas of the audience. Paying particular attention to productive capacities of the analysed type of power, Adler and Bernstein define epistemic power as the form of productive power exercised through epistemes, possessing, therefore, the major features of the latter [Adler and Bernstein, 2005:294]. Indeed, in this context epistemic power can be considered as a more subtle form of productive power which is operating not with knowledge in its general meaning, but with epistemes constituted by the agents and empowering them by giving them a capacity of shaping certain ideas and understandings.

Therefore, it is important to mention here the principal general features of productive power which are equally applicable for epistemic power. Barnett and Duvall suggest that productive power presents a subject working through indirect social relations of constitution and define it as a "socially diffuse production of subjectivity in systems of meaning and signification" [Barnett and Duvall, 2005:3]. The analysed type of power, thus, is not reduced to the attributes, actions or interactions of the actors – in this case power works through socially diffused relations and enables the actors to have real impact on shaping some truths and knowledge among the addressed audience [Barnett and Duvall, 2005:9-10]. An important feature of this power concept is that relevant social processes are not controlled by specific actors but are more influenced through the meaningful practices of actors [Barnett and Duvall,

2005:20]. Epistemic power of an actor, therefore, can be described as forming ideas, understandings and truths through the system of epistemes expressed with the help of various discursive practices and techniques.

The essential feature of productive power is that it is always characterized by discourse which can be described as the “social processes and the systems of knowledge through which meaning is produced, fixed, lived, experienced, and transformed” [Macdonell, 1986 cited in Barnett and Duvall, 2005:20]. Discourses in this sense represent, therefore, the special sites of social relations of power which “define the (im)possible, the (im)probable, the natural, the normal, what counts as problem” [Hayward, 2000:35]. Through the complex of epistemes the agent of power obtains the possibility to give its own definitions, meanings and interpretations which can significantly determine the discourse addressed to the audience. In this sense, the discourse has the primordial meaning as it can empower the actor with the help of epistemes constituted in it. The following definition given by Foucault presents a comprehensive explanation of the meaning of discourse in power analysis:

Discourses are not once and for all subservient to power or raised up against it... We must make allowances for the complex and unstable process whereby a discourse can be **both an instrument and an effect of power**, but also a hindrance, a **stumbling point of resistance** and a **starting point for an opposing strategy**. **Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart** [Foucault, 1998:100-101]

This definition stresses upon the multi-faceted role of the discourse which can empower the actor and at the same time presents a tool of its power. Furthermore, it mentions the probability of resistance to the possible influence of the discourse and, in particular, to the ideas which it contains. Therefore, integrating constitutive effects of discourse in the analysis of power and paying particular attention to epistemes created by the actor in the discourse may demonstrate how the actor is endowed with epistemic power through shaping public opinion with the help of application of various discursive

strategies. In the case of FRONTEX this means that the analysis of its epistemic power should include examination of its discourse on illegal immigration and exposure of the most important and the most frequently used discursive practices and techniques.

In their work, Adler and Bernstein introduce two key notions which should be used for the analysis of epistemic power. The first one is called by them epistemic validity and is based on Habermas's (1986) argument that valid knowledge claims should be grounded on comprehensibility, truth, truthfulness, and rightness – an “ideal-speech situation” to which the agents should aspire [Adler and Bernstein, 2005:303]. At the same time, there is an important reservation regarding this demand because “often, political actors consciously use the power of language not only to lie (a primeval practice), or to create confusion between good and bad, but primarily to deliberately subvert the ontological assumptions of social reality” [ibid]. The matter concerns intentional discursive techniques aimed at presenting certain ideas and thoughts in the way which is favorable for achieving the agent's specific goals. It does not mean, however, that the agent intentionally provides false or erroneous information. In the terms of epistemic validity it signifies that the same ideas can be presented from the various points of view and with utilization of certain discursive techniques that exercise a significant effect on the interpretation of expressed thoughts and on formation of relevant understandings in the way which is advantageous for the actor.

The second notion introduced by the authors is practical reason which relies on a pragmatist reading of rationality that is sensitive to contingent contexts [Adler and Bernstein, 2005:307]. This concept is based on the thesis that reasons derive from interpretive processes in which intersubjectively validated knowledge (epistemes) and normative understandings of fairness play a major role – in the mentioned above “ideal-speech situation”, described by Habermas, the use of epistemes requires “discursive validation” and must therefore be based on “good arguments” [ibid]. In this context, practical reason is grounded on a “deliberative principle” which means that “any decision should be backed by arguments committed to values of rationality and impartiality” [ibid].

However, the conditions of “ideal-speech situation” in various discursive practices are more an exception than a rule. In order to effectuate the analysis of the agent’s epistemic power it is therefore important to examine if the arguments given in the discourse to support expressed thoughts and opinions are indeed impartial or whether, on the contrary, they are supposed to serve as a confirmation for their presentation from the point of view which is advantageous for the agent of power.

Having in mind all the features of epistemic power, in what follows the detailed analysis of FRONTEX’ discourse on undocumented migration will be undertaken in order to reveal the main discursive strategies, practices and techniques which are used by the agency and which may potentially contribute to constituting FRONTEX’ epistemic power through the understandings and problems, shaped by the discourse.

3. ANALYSIS OF FRONTEX’ DISCOURSE ON UNDOCUMENTED MIGRATION

3.1 Methods of analysis

According to Gee, discourse analysis should consider the notion of discourse as “*Discourse*” with a capital D – this concept shows different ways in which the individuals integrate language and “non-language” elements, such as different ways of thinking, acting, interacting, valuing, feeling, believing, and appropriately using symbols, tools, and objects [Gee, 1999:13]. This can be made in order to enact and recognize different identities and activities, give the material world certain meanings, distribute social goods in a certain way, make certain sorts of meaningful connections in their experience, and privilege certain symbol systems and ways of knowing over others [Ibid]. Therefore, the analysis of FRONTEX’ discourse on undocumented migration should be undertaken in the way which will permit not only to reveal concrete discursive mechanisms, but also to examine how they manage to influence the audience’s perceptions, understandings and ideas on the issues of immigration and control of the

external borders of the European Union and thus how it contributes to constitutions of the agency's epistemic power. With this objective, FRONTEX' discourse analysis will include several components:

1) discursive practices – the analysis is supposed to demonstrate the principal mechanisms, with the help of which the authors of FRONTEX' documents and publications are formulating their ideas which can be then transformed into relevant epistemes and be transmitted to the audience through the agency's discourse;

2) rhetorical devices – FRONTEX' discourse analysis will reveal several linguistic tools which are used by the authors of the documents for changing the nuances of meaning of certain understandings and ideas. The attention will be primarily paid to the use of metaphors (words or phrases that mean one thing and are used for referring to another thing in order to emphasize their similar qualities), hyperboles (way of emphasizing of something by describing it as far more extreme than it really is) and euphemisms (word or expression that people use when they want to talk about something unpleasant or embarrassing without mentioning the thing itself)³ in the agency's documents and publications:

3) audience of the discourse – the addressees of the ideas expressed in the discourse will be defined in order to understand what objectives are supposed to be achieved and what understandings and meanings are intended to be influenced by the discourse;

4) context of the discourse – this component of the analysis will describe the interactions between FRONTEX and other actors who are addressed by the agency's discourse and illustrate how various discursive practices may change according to relations between the actors (European citizens, EU institutions, Member States, human rights organizations, etc.)

³ Definitions taken from Macmillan English Dictionary.

Since the start of its operational activities, FRONTEX has been constantly criticized by pro-migrant groups and human rights organizations for discriminatory treatment of undocumented immigrants and the violation of their fundamental rights. The agency has been accused of construction of the out-group of immigrants which led to their rejection by the public opinion of the European citizens, According to R. Wodak, the division of people into antagonist groups is conceptualized by the researchers using various terms: difference, discrimination and even new racism [Wodak, 2008]. The mentioned concepts are supposed to underline that this tendency is defined not exclusively by the traditional terms of human races, but much more by hostility to immigrants, refugees and asylum-seekers who are represented as the “others”, opposed to the EU citizens [Wodak, 2008:292]. Whatever terms one can use to describe the practice of dividing people into “ingroup” and “outgroup”, it is clear that this division creates the exclusionary approach and “isolates” immigrants, always leaving them “beyond” the borders of the European Union, both in physical and psychological senses (in the minds of the EU citizens who are addressed by numerous discourses, containing the mentioned exclusionary model) [Ibid]. According to the author, differences between various social groups take on a negative character not because the existence of differences that produces discrimination, but rather because of the generalization of such differences into negative categories and their attribution to whole groups, which constitutes stereotyping [Wodak, 2008:295].

This dissertation will use the method suggested by Wodak in her analysis of exclusionary practices which lead to construction of discriminated out-groups. In this context, FRONTEX’ discourse analysis will be undertaken through the prism of five questions formulated by Ruth Wodak in order to examine theoretical and methodological approaches to the processes of social inclusion and exclusion, and the relevant discursive strategies which can potentially lead to “positive self-representation and negative other-representation” [Wodak, 2008:302]. By “strategies” here is meant “more or less accurate and more or less intentional plan of practices (including discursive practices), adopted to achieve a particular social, political, psychological or linguistic aim” [Ibid].

The compilation of the questions formulated by the author and respective strategies can be represented in the following way:

Question	Strategy	Objective	Devices
1. How are persons named and referred to linguistically?	Reference/nomination	Construction of in-groups and out-groups	Membership categorization: biological, naturalizing and depersonalizing metaphors
2. What traits, characteristics, qualities and features are attributed to them?	Predication	Labeling social actors more or less positively or negatively, deprecatorily or appreciatively	Stereotypical, evaluative attributions of negative or positive traits, implicit and explicit predicates
3. By what arguments and argumentation schemes do specific persons or social groups try to justify and legitimize the inclusion/exclusion of others?	Argumentation	Justification of positive or negative attributions	Arguments used to justify political inclusion or exclusion, discrimination or preferential treatment
4. From what perspective or point of view are these labels, attributions and arguments expressed?	Perspectivization, framing or discourse representation	Expressing involvement positioning speaker's point of view	Reporting, description, narration or quotation of (discriminatory) events and utterances
5. Are the respective utterances articulated overtly, are they intensified or are they mitigated?	Intensification, mitigation	Modifying the epistemic status of a proposition	Intensifying or mitigating the illocutionary force or (discriminatory) utterances

In what follows, the analysis will be undertaken in four main areas, adapting the model proposed by Wodak to the object of studies of this dissertation. The first part will examine two discursive models – the model of self-presentation of FRONTEX in its own discourse in the terms of effectiveness, cost-efficiency and

purely coordinating role of the agency, and “presupposition model” which is shaping the agency’s discourse with numerous assumptions and implications in the context of futures studies. The second part of the analysis will examine the way in which undocumented migrants are represented in FRONTEX’ discourse and will be oriented on the discursive strategies of reference/nomination and predication. The third part will be dedicated to the discursive strategy of argumentation and will mostly analyse FRONTEX’ securitizing practices regarding undocumented immigrants, which draw the direct link between “illegal migration” and internal security of the European Union. Finally, the fourth part of the analysis will join together the strategies of perspectivization and mitigation in order to demonstrate FRONTEX’ attempts to present its activities in the light of humanitarian practices and to mitigate harsh criticism of violations of fundamental rights of undocumented migrants during the agency’s operational activities.

3.2 Data collection

With the objective to undertake a deep and comprehensive analysis of FRONTEX’ discourse, the sources which have been chosen for the analysis can be divided into two large groups.

The first one includes the agency’s documents and publications, which can potentially contribute to direct realization of epistemic power of FRONTEX by granting it the capacity to disseminate information that forms the basis of public opinion on whether the issue of irregular migration is a security concern. In view of a big volume of the available sources, several sub-groups of the sources were singled out in order to embrace their most multifarious and fullest scope. It is also necessary to specify, that the annual documents of the same domain (for example, annual risk analysis reports, activities reports and work programs) contain mostly the identical data from one year to another. Thus, the discourse analysis includes the following sources:

- 1) FRONTEX’ Programme of Work 2013 and General Report 2012 as the basic documents which give the opportunity to examine the official point of view of the organization on the issues related with irregular migration;

- 2) FRONTEX' Risk Analysis Report 2013 which can be estimated as a sort of the ideological concept of FRONTEX, as "risk analysis is the starting point for all FRONTEX activities, from joint operations through training to research studies" [FRONTEX web-site];
- 3) FRONTEX' press-releases published on its official website in the section "News" during the period from 13 October 2006 until 01 November 2013, which allow the analysis of the agency's discourse made during almost eight years of the agency's existence and give the general overview of FRONTEX' discursive practices;
- 4) interviews conducted with FRONTEX' top-officials, which can be found in the media or are the elements of FRONTEX' publications and present a rare example of deviation from highly standardized and monotonous rhetoric of FRONTEX' documents;
- 5) FRONTEX Fundamental Rights Strategy which shows the agency's reaction towards the outer critics for violation of human rights of undocumented immigrants.

The second group of sources is linked with indirect epistemic power of FRONTEX which enables the organization to shape security understandings through its non-negligible role in training and consulting activities. As it stated on the FRONTEX website, through its "educational" activities the agency creates 'multipliers' who then return to their own national authorities and pass their training on to others. Here, the major restraint concerns the access to FRONTEX materials as the presentations and working papers distributed during the trainings and seminars are available only for the participants of these events. Therefore, the undertaken discourse analysis included the sources open to public access, i.e. the curricula of the events, the relevant press-releases available on the official website and the programs of the mentioned events. There are also two FRONTEX' research works analyzed here, *Ethics of Border Security* and *Future of Borders*, which were prepared within the framework of FRONTEX' training activities as the organization is supposed to facilitate "information exchange between border management authorities, research institutes, universities and industry, via the organization of projects, workshops and conferences" [FRONTEX website].

To start with, it is worthy to give some general observations regarding common features which characterize all the agency's documents and publications. First of all, it concerns the language used by the authors of these sources – all of them are written in a very reserved way with short, highly standardized phrases, as it will be seen in further analysis. Although this is a rather common manner for official documents of international organizations, it should be noticed that FRONTEX' discourse is abundant with several clichés which will be described more minutely in what follows. The texts are also characterized by a minimal number of adjectives and metaphors which results in very monotonous expression of the ideas. At the same time, it reinforces the contrast with rare cases when the phrases in FRONTEX' discourse contains some uncommon for official rhetoric words (usually adjectives and adverbs), which are supposed to attract the readers' attention. Normally, such rhetorical devices as hyperboles and euphemisms do not have their own knowledge content, but may emphasize or de-emphasize knowledge structures in discourse [Van Dijk, 2010:14], and this technique is successfully used by the authors of FRONTEX' documents.

3.3 Self-presentation model in FRONTEX' discourse: effective, cost-efficient and relieved of responsibility

Before proceeding to more detailed analysis of FRONTEX' discourse with the objective to reveal principal practices and techniques applied in the agency's publications and documents, it would be reasonable first of all to examine in what way the agency is presented in its own discourse and from what positions it is interacting with its audience. To start with, it should be said that all the mentions of the agency are always made in "professional level management style language" [Horsti, 2012:307], which is supposed to demonstrate the high level of professionalism and efficiency of FRONTEX. One the agency's reports – Beyond the Borders [FRONTEX, 2010a] – contains several chapters which describe various aspects of FRONTEX' activities. The names of these chapters are given below and characterize, according to the authors of the report, FRONTEX' main features, thus illustrating the image which is created by the agency for itself:

- *Fast and efficient*
- *The highest possible standard*
- *Helping hand*
- *Coming up with “smarter solutions”*
- *Flexible response*
- *Expecting the unexpected*

The chosen terms would be probably more appropriate for the sphere of business and marketing than for the description of technical activities implemented by the EU agency. However, the authors of the documents are constantly using the adjectives and adverbs with superlative meaning (“perfectly timed”, “the most outstanding milestones and achievements”, “best practices and standards”, “efficient procedures”, “enhanced capabilities” etc.) to reinforce the impression about high potency of the agency’s work. This discursive technique is illustrated by several examples given below:

The first joint operation in December of that year, though necessarily small in scale compared to later FRONTEX joint operations, was **well-conceived and perfectly timed** [FRONTEX, 2010a:7]

Beyond the Frontiers highlights some of the **most outstanding milestones and achievements** of FRONTEX during its first five years [FRONTEX, 2010a:7]

Passenger flow data (...) may help identify **best practice** and eventually ensure that checks are performed in a **harmonised way** [FRONTEX, 2013a:13]

FRONTEX is very active in driving the process **of harmonisation and development of best practices and standards** in border control, both operational and technical, in line with existing and future EU measures [FRONTEX, 27 March 2013]

Sharing of experience is also envisaged with a view to developing **efficient border-control procedures, enhanced technical capabilities and exchange of best practices** [FRONTEX, 16 April 2013]

It is also of high interest to observe how FRONTEX' discourse avoids using any terms which can have negative connotation and give an unfavorable impression of its activities. The most obvious example here is the use of more neutral terms "effective return" or "repatriation" for operations of sending undocumented migrants back to their home countries. At the same time, the agency's documents do not contain the term "deportation" in connexion with FRONTEX' activities. The following extract illustrates the common way of speaking about this kind of operations:

In 2012, there was a steady trend of about 160 000 third-country nationals **effectively returned** to third countries. Greece reported the largest number of returns of a single nationality (Albanians), and **effective returns** in Greece increased markedly in the last quarter of 2012 following the launch of the Xenios Zeus operation [FRONTEX, 2013a:6]

Discursive practice of self-presentation can be conditionally divided into **three sub-practices**. The first one deals with the notions of efficiency and effectiveness and is supposed to demonstrate high results of FRONTEX' activities. The interesting fact is that by suggesting the idea about its own potency, FRONTEX tries at the same time to partially relieve its responsibility in the sphere of decision-making and put it on the Member States. Thus, according to FRONTEX Deputy Executive Secretary G.A. Fernandez, the agency's main contribution is providing "added value" to border management systems of the Member States:

It must be stressed that **FRONTEX does not replace the national border management systems of participating Member States**: instead it **complements** and provides **added value** to those systems [FRONTEX, 2010a:12]

Another extract from the agency's General Report (2012) illustrates the idea that FRONTEX is acting as a subsidiary body, but it is also thanks to its activities that "efficient and high level" of border control is achieved:

FRONTEX supports the Member States to achieve an **efficient, high and uniform level** of border control [FRONTEX, 2013b:7]

Effectiveness of the agency's activities is mentioned in various contexts. In the next passage, the matter concerns joint operational activities, the results of which are considered by the authors of the press release as "unprecedented". The abstract also pays the reader's attention to the securitized context of these activities as they must maintain the agency's preparedness for "rapid response to emergency situations" at the external borders:

Joint Operation RABIT 2010 was the first deployment of its type and its evaluation is **crucial** in maintaining FRONTEX's preparedness for **rapid response to emergency situations** at the EU's external borders. **The scale and speed of the deployment** — in terms of both human and technical resources — was **unprecedented** in the Agency's history [FRONTEX, 27 October 2011]

The passage from another press release demonstrates how the agency stresses its "proactive" and "key role" in the domain of research on control and surveillance of the external borders:

The Agency **proactively** monitors and contributes to developments in research relevant to the control and surveillance of the external borders. **FRONTEX plays a key role** in bridging the gap between producers and end users, making sure that the research and development community has a **clear picture of the needs and challenges faced daily at the EU's borders**. The agency facilitates information exchange between border management authorities, research institutes, universities and industry, via the organisation of projects, workshops and conferences [FRONTEX, 27March 2013]

The given above examples clearly illustrate that the discursive practice of effectiveness is overwhelmingly present in FRONTEX' discourse. The level of this efficiency is evaluated within the agency so high that it has allowed I. Laitinen to call FRONTEX the "hostage of its own successes" (probably making an allusion to harsh criticism by human rights organisations and pro-migrant

groups) because of the undertaken “exceptional effort”. Here the attention should be paid to the precise addressee of the discourse – it appeals to the EU citizens (“people”) with the aim to demonstrate that the work of FRONTEX is effective and that the key issue of its competence, i.e. control of external borders of the EU, is successfully controlled:

Someone has said that FRONTEX has become a **hostage of its own successes**. We surprised people in some ways, but that kind of **exceptional effort** has become expected. I would like to see that **people understand how much the agency has been able to deliver** [FRONTEX, 2010a:16]

The sub-practice of efficiency includes also one more crucial for the agency component – cost-effectiveness of its activities. Taking into account that FRONTEX’ yearly budget fully depends on the decision of the Member States, it is extremely important to demonstrate in the discourse that allocated funds are spent in the best possible economical manner. Thus, for example, one of the agency’s main tasks – conducting risk analysis – is directly linked with the necessity to provide “effective balance and prioritizing the allocation of resources”. In order to emphasize the importance of proper financing of FRONTEX and to impel the Member States to allocate required resources, the report on risk analysis states that sufficient investments will have “ultimate effects on internal security of the EU”⁴:

The Annual Risk Analysis 2013 is intended to facilitate and contribute to informed **decisions on investments** and concerted actions that are most likely to have sustainable effects on the management of the external borders and **ultimately on the internal security of the EU**. The ARA conclusions and identified risks at the EU’s external borders are meant to help **effectively balance and prioritise the allocation of resources** [FRONTEX, 2013a:8]

The second sub-practice in the framework of self-presentation model of FRONTEX is connected with trustworthiness of the agency and, indirectly, of the contents of its discourse. The key premise here is that the audience is

⁴ The discursive strategy of “internalization” (presenting undocumented immigrants as a potential threat to internal security of the EU) will be analysed in one of the next chapters (see p. 58)

supposed to be convinced that the information provided in the agency's discourse on illegal immigration is reliable and unbiased. This is especially important in the context of epistemic validity of the discourse (see p) – the agency can be empowered through the epistemes which it constitutes only in the case if the audience relies on its truthfulness. With this aim, the agency's documents are abundant with the terms “trust”, “trustworthy” and their derivatives. Here is one of the examples of this self-presentation technique:

FRONTEX is the **trustworthy** European Border Agency, strengthening the European area of Freedom, Security and Justice by supporting the Member States to keep up with their responsibilities [FRONTEX, 2013b:7]

The openness for communications and high professionalism of FRONTEX staff members is also considered as one of the elements which must ensure the audience that FRONTEX' activities assure effective control of the EU external borders, as it is demonstrated in the next abstract:

Within a **teamwork-focused framework**, enabled by **open communication**, FRONTEX's staff members share and live the corporate values. Consequently, they perform their activities in a **highly professional way**. Humanity links FRONTEX's activities with the promotion and respect of Fundamental Rights as an unconditional and integral component of effective integrated border management **resulting in trust in FRONTEX** [FRONTEX, 2013b:7]

Furthermore, according to I. Laitinen, FRONTEX deserves trust thanks to an extremely high level of experts involved into the agency's activities. In the following passage the matter concerns the work of FRONTEX Consultative Forum on human rights:

Nowhere in Europe can you find a higher or more professional level of expert knowledge (...) than in our Consultative Forum. Not only respect for Fundamental Rights, but their active promotion, is a **firm cornerstone** of the agency's strategy and this forum reinforces that commitment [FRONTEX, 16 October 2012]

Finally, the third sub-practice of FRONTEX' self-presentation model lies in relieving any responsibility from the agency in the sphere of decision-making and control of the external borders by presenting it as a purely coordinating and de-politicized body. This discursive technique is used mostly in the interviews with FRONTEX' officials who propagate the idea of coordination nature of the agency's activities, as it illustrated in the next passage from the conversation with I. Laitinen:

Generally, it must be noted that FRONTEX is **never in lead** of joint EU border control operations, playing a **mere coordinating role** [Tondini, 2010]

Moreover, another extract from Laitinen's speech presents the agency as nothing but a subordinate to the will of the Member States body which "is not omnipotent" and "never will be a panacea to problems of illegal migration":

Responsibility for the control of the external borders lies with the Member States. It seems that the **will of Member States is crystal clear.** FRONTEX is not and never will be a **panacea to problems of illegal migration.** Summing up I would like to remind that **FRONTEX activities are supplementary to those undertaken by the Member States.** FRONTEX doesn't have **any monopole on border protection and is not omnipotent.** It is a **coordinator of the operational cooperation** in which the Member States show their volition [FRONTEX, 11 June 2007]

The effect achieved by the observed in this passage discursive technique in its combination with repetitive mentions of effective FRONTEX' activities is dual – on the one hand, responsibility for any incidents during operational activities is put on the EU members as FRONTEX is excluded by its own discourse from any decision-making in this process, being dependent on the "volition of the Member States". On the other hand, all successes in operational activities, research work and other domains are attributed to FRONTEX and are presented as "unprecedented in the Agency's history". Therefore, the authors of FRONTEX' documents endow themselves with the right to decide when the achievements and positive events are regarded as a merit of the agency and

when occurrences with negative connotation are imputed to the Member States. This discursive technique is reproduced also in other contexts – in the next passage, FRONTEX Operations Division Director K. Roesler is speaking about infringements of personal data:

FRONTEX is not the ‘owner’ of such data, and for the time being we don’t process any personal data. All the information goes to the host nation (...) so we can’t cross-check names or telephone numbers for them, for example. We are **just coordinating the operations by providing expertise and support**, and **it is the responsibility of the host member state’s security agencies** to share it with the relevant EU and international agencies. From there they can work on dismantling the criminal networks, through sharing the data they accumulate through the operations coordinated by us [Deliso, 2011]

Thus, the discourse stresses once again the “coordinating, expertise and support” role of FRONTEX and relieves any responsibility from the agency in case of leakage of data. Another example of this practice can be observed in I. Laitinen’s comment on respect of fundamental rights of undocumented migrants – according to the following extract, FRONTEX does not carry any responsibility for detention of immigrants as it is an “exclusive remit” of the Member States:

We would like to recall that FRONTEX fully respects and strives for promoting Fundamental Rights in its border control operations which, however, do not include **organisation of, and responsibility for, detention** on the territory of the Member States, **which remains their exclusive remit** [FRONTEX, 21 September 2011]

Self-presentation model in FRONTEX’ discourse allows therefore shaping several key ideas for perception of the agency’s activities by the audience. FRONTEX is described as an effective, highly professional and trustworthy actor which manages to engage the best experts and specialists for work under its auspices. At the same time, the discourse excludes any direct responsibility of the agency for detention and violation of fundamental rights of immigrants, control of the external borders of the EU, protection of personal data and other aspects which can provoke negative for the agency connotations. By doing this

the discourse diverts attention from any controversial activities of the agency and emphasizes only its achievements and effectiveness.

3.4 Presupposition model in FRONTEX' discourse: creating the future

The conception of epistemic power presumes, in particular, shaping of certain understandings and ideas in the minds of the audience of the discourse and creating fixed meanings of certain issues. In this context, one of the discursive practices of FRONTEX presents a particular interest as it deals with predicting the future situations related with immigration and control of the EU external borders. In December 2011 FRONTEX published a report entitled “Futures of Borders: A Forward Study of European Border Checks” elaborated by the agency’s Research and Development Unit” [FRONTEX, 2011b]. The authors of this paper have chosen as its slogan the expression of the American management consultant Peter Drucker – “**The best way to predict the future – is to create it**” [FRONTEX, 2011b, Executive Summary:5]. This is how FRONTEX’ experts explain the key idea of the report:

We suggest that **policy makers and border guard practitioners** alike **take an active approach towards the future**. What may transform one future scenario into another are often **relatively small acts** performed by people at intervention points as early as possible. **This is true for everything** from strategic, long term **policy decisions** to tactical behaviour at border crossings [FRONTEX, 2011b, Executive Summary:5]

The report, which is “focused on the futures and foresight tools that may be relevant for European border control” [FRONTEX, 2011b:3], emphasizes the importance of prediction of future trends for policy decisions and planning. This discursive practice has a direct connexion with the agency’s epistemic power as it allows FRONTEX to shape the understandings and formulate certain problems and the ways of their solution among various EU decision makers, in particular through the undertaken by the agency risk analysis. This is how the mentioned idea is illustrated in the report:

Attempting to make future estimates, both near- and long-term is a useful exercise, in that **it inculcates futures thinking among decision makers and planners** [FRONTEX, 2011b, Executive Summary:5]

This discursive model reflects the adherence of the authors of FRONTEX' research papers to the interdisciplinary field of futures studies which considers "shaping" or "forging" the future as the scientific attempt to "prepare for the future and to deal with (...) uncertainties" that arise in the social and political world [Dunmire, 2011:4]. In this context, the creation of expectations should be seen as a rhetorical act through which the actors can make "rhetorical evocations of a remote time" which, in turn, have material effects on the present by legitimizing more immediate proposals and policies that serve the partisan's political goals and interests [Edelman, 1988:18]. By projecting particular images of the future, the actors are able to influence people's interpretation and perception of "ambiguous current facts" in ways that typically serve the actor's goals [Edelman, 1988:8]. FRONTEX' discourse on illegal migration completely avails itself with this practice by integrating prognosis of future situations into the agency's documents and publications. The following paragraph from the report highlights the importance of future studies as a "tool" which helps to turn expressed ideas into concrete political decisions of policy makers:

The recent turmoil in global events has again highlighted the **significance of futures studies for both governments and policy makers**. Futures studies should be thought of as **tools which aid thinking about possible futures**, in order to recognise trends while acknowledging the likelihood of (even radical) change [FRONTEX, 2011b:3]

The report contains four future scenarios types elaborated by FRONTEX' experts and actively used in the agency's discourse on illegal immigration:

1) Probable futures, which envisage direct or probable continuation of existing current trends, such as population or economic growth. The extrapolation of these trends can be derived using quantitative/statistical methodologies and specific futures methods such as partial data extrapolation. Forecasts are then

made about what is most likely, although not necessarily, to happen [FRONTEX, 2011b:59];

2) Alternative (possible) futures, which are feasible in the framework of existing data, trends and emerging patterns, although they may not be the most common extrapolated outcome. While not fully predictive, alternative futures help identify critical uncertainties that have substantive probability [FRONTEX, 2011b:59];

3. Plausible-preferred futures, which present the fusion of desires, hopes and aspirations for a “better world”. While such scenarios may sometimes seem utopian and at times unrealistic, they act as an invaluable policy tool, marking a vision of goals to aspire and plan for while underlining the difficulty of reaching them [FRONTEX, 2011b:60];

4. “Wild-Cards” scenarios

In defining ‘Wild-Card’ scenarios, the main characteristic is the unpredictability of events that have a low probability but potentially enormous impact. It is important to be aware of possible ‘Wild-Card’ scenarios as early as possible in order to prepare strategically for the unlikely, yet potentially acute, repercussions which would otherwise be ignored due to their very small probability. The methodological bases for Wild Card scenarios include a multitude of creative methodologies aimed at identifying extreme scenarios, risks, trends or patterns falling outside the realm of ‘conventional wisdom’ [FRONTEX, 2011b:60].

The next extract illustrates how the authors of the report define the role of future scenarios:

Scenarios make **no prediction about how things will develop**, but show the **extent of how things might turn out** and thus are **useful for planning strategies** – forcing the explicit statement and revision of assumptions [FRONTEX, 2011b:4]

What is not mentioned in this passage is that besides “being useful for planning strategies”, future scenarios are also transformed into various discursive techniques and implicitly contribute to shaping the ideas among the audience of FRONTEX’ discourse. In this dissertation, the mentioned model of argumentation is called presupposition model as it contains various implications and assumptions for future. This practice envisages the sharing of presupposed knowledge even if it is not asserted and sometimes even not expressed but left implicit as parts of mental models; this means that knowledge may be also obliquely asserted as if it were generally known and shared [Van Dijk, 2009:13].

Presupposition model in FRONTEX’ discourse is usually characterized by generalizing assumptions which are supposed to convince the reader that the provided information is reliable and doubtless even if it is not confirmed by any proves. In the next example it is clearly seen how the authors of the Risk Analysis Report reinforce the idea of the possible “shift” of the regular migrants to irregular ones without any confirmation of this “generally believed” implication:

There are no data available on the rate of people who arrive on short-term visas but do not depart before their visa expires (overstaying). Indeed, **it is generally believed** that overstaying is a very common modus operandi for irregular migration to the EU [FRONTEX, 2013a:18]

At the same time, FRONTEX’ discourse contains the elements that directly contradict to such assumptions because they admit that the available statistical tools and “current state of knowledge” do not let make any reliable prognosis, as it is shown in the next passages in the context of “migratory flows”:

Even the large regular flows composed mainly of EU citizens **cannot be predicted with any great accuracy** with current tools and data. **Illegal (...) flows are even more difficult to estimate let alone predict**, given the current state of knowledge and practices in collecting statistics [FRONTEX, 2011b, Executive Summary:2]

Although we don't know how the migratory flows and risks will develop, but we are prepared to assist the Member States whose external borders will be affected [Deliso,2011]

Furthermore, even in the case of trustworthy statistical information, the report directly indicates the fact that there is always a risk of intervention of unforeseen factors (wild cards) which can totally distort the prognosis. That is why the following abstract urges to consider any predictions only as “rough indications” under the condition that “all other factors remain equal” (which is practically impossible in the reality):

While some numerical estimates based on current trends can be made in regard to regular flows, intervening factors and ‘wild can **quickly change such estimates and render them meaningless**. This was clearly demonstrated (...) when first the volcanic eruption in Iceland and then the ‘Arab Spring’ uprisings had major effects on the numbers of regular and irregular crossings of the external borders of the EU. **Predictions of trends, therefore, should always be read with caution and taken as rough indications of future developments only if all other factors remain equal.** This lack of accuracy has clear implications for planning border controls in the future: planning cannot be based on specific predictions of trends or ‘likely’ developments. **With current knowledge, the future will always be unpredictable** [FRONTEX, 2011b, Executive Summary:3]

The last phrase of the given above abstract completely depreciates the presupposition model of FRONTEX’ discourse - the thesis about impossibility of predicting the future with available to the agency information is quite evident. However, that does not restrain FRONTEX’ officials to reproduce the idea of ever-increasing flow of immigrants as it can be observed in the interview of Head of the Research and Development Unit E. Beugels:

We always have to keep in mind the fact that the number of people who cross the border **is not going to diminish. It is only going to increase.** So in order to deal with ever-increasing numbers of travellers, we have to come up with the smarter solutions [FRONTEX, 2010a:57]

In general, presupposition model is characterized by appealing to the notion of likelihood and the use of the rhetorical construction “to be likely to”, as it is demonstrated in the next passages:

The difficulties in estimating real numbers of current flows **make prediction of future flows nearly impossible**. That said, current trends (particularly in North Africa) suggest that long-term irregular mobility **is likely** to increase in the short-to medium-term [FRONTEX, 2011b, Executive Summary:2]

Crisis situations are still **likely** to arise at the southern border with thousands of people trying to cross the border illegally in the span of several weeks or months. **Past experiences also show** that these crises take their toll on human lives, and are **very difficult to predict** and quell without a coordinated response [FRONTEX, 2013a:7]

In some documents, one can find even more evident assumptions which are not based on the proved information but which are however used to suggest the same idea of risks coming from migration issues. In the following extract from FRONTEX’ press release, the presupposition is made regarding the possible growth of the number of irregular migrants in the EU and then this assumption is linked with visa-liberalization procedures, creating a negative context for this process, which is normally considered to be favorable for fostering traveling of the foreigners:

Over the coming year, irregular passenger flows across the external borders **are expected** to increase. This is **due to increasing mobility globally as well as the possibility of visa-liberalisation procedures** for the EU’s eastern European partners and new agreements governing local border traffic along the eastern borders [FRONTEX, 11 May 2011]

Indeed, FRONTEX discourse repeatedly averts to the topic of visa procedures paying particular attention to any possible abuse of the legal requirements. This mechanism of presentation of legitimate travelers as the potential fraudsters results in creating the negative image of any immigrants in the minds of the audience of the discourse. Thus, the following passage concerns the students

who are considered by the authors of the agency's report in the context of abuse of student visas. In what follows, one more example of using the presupposition model is observed: without any precise data on the discussed subject, the discourse is implicitly praising the measures aimed at toughening of visa requirements in order to "tackle abuse" and is putting softening of these procedures "in the contrast" with the need to take further protecting measures.

Overall, at EU level, **the extent of the abuse of student visa is unknown**. Gauging from the responses by Member States, the phenomenon seem to vary widely among Member States. The UK made changes to Tier 4 (student tier) of their Points-Based System to **tackle abuse**, including by increasing the level of English language proficiency and imposing additional requirements on educational institutions. **In contrast**, twelve Member States took steps in simplifying procedures for students to enter and stay on their territory as this is seen as a way to import skilled and educated foreigners [FRONTEX, 2013a:43]

In fact, all the analysed sources consider visa-issuing procedures in the context of fighting with undocumented migration without any references to the primordial assignment of this process – facilitating legitimate traveling of the foreigners within the EU. The example of this approach is given below:

Member States have introduced a variety of **specific measures** in their visa-issuing procedures **to tackle irregular migration**, which includes the assessment of willingness to return, the training of personnel at embassies and consulates, and cooperation and information exchange with other entities and Member States. Other **preventive measures** include the use of biometric data in the visa application process, as well as the identification of specific categories of migrants who **might misuse** their visa and awareness raising in third countries of the consequences of making fraudulent applications [FRONTEX, 2013a:13]

In the public discourse, FRONTEX' experts draw a clear parallel between one of the main agency's activities – risk analysis – and future studies by considering the latter as "useful methods for analysing future risk" which can be later transformed into policy decisions ("implementing various policy options):

Futures methods can and should be directly connected to risk analysis by border guard units and management. While futures studies contribute some specific **useful methods for analysing future risk**, when entwined into risk analysis units' work it also supports a forward look through scenarios into futures implications of **implementing various policy options** [FRONTEX, 2011b:94]

In this context, the following passage from FRONTEX Spokesperson Mikal Parzysek' interview presents particular interest as the agency's official is using a very well-aimed metaphor demonstrating the highest level of uncertainty about the provided information but however emphasizing the capacity of professional FRONTEX' experts to predict the future:

This is a bit **like looking into a crystal ball** but **of course** our risk analysis experts always view each expansion of the Schengen Area as a **risk** [Dikov, 2011]

To sum up, presupposition model is one of the essential FRONTEX' discursive practices as it creates the basis for numerous assumptions and implications which are intended to fix the vision of future situation in the way which, on the one hand, demonstrates the professional level of the agency's expertise, and on the other hand, convinces the audience of the discourse in high probability of the scenarios elaborated within the agency. Even if FRONTEX' researchers admit the fact that it is practically impossible to predict the future, they are literally "creating" it on the basis of presuppositions made in the public discourse.

3.5 Discursive strategy of nomination/predication: construction of the out-group of undocumented immigrants

One of the essential discursive strategies, which is specifically affected by the management of knowledge and, thus, is traditionally examined within the framework of critical discourse analysis, is *actor description* (or *nomination*, using the terminology of R. Wodak). According to T. Van Dijk, most discourse

and much knowledge is about people, and it is therefore crucial how people are being described by the authors of the discourse and in what identities, roles and relationships they are represented. The most important point here is that the way of representing people can become the “locus of the ideological polarization between in-group (Us) and out-group (Them)” [Van Dijk, 2010:13]. In this context, FRONTEX’ discourse can serve as a clear example of exclusionary practice towards immigrants. In what follows, the analysis of the agency’s documents and publications will allow to observe in what way the immigrants are labeled and described and to see how this representation is leading to creating the exclusionary vision of this group of people.

From the syntactic point of view, it is important to analyse whether the actor’s description is made in active or passive voice in order to see if the actor is described as a responsible agent, target or victim of action: groups of people subject to exclusionary practices are often represented in a passive role, unless they are the agents of actions which are considered in the discourse as negative ones [Van Dijk, 2010: 40]. This strategy provides an opportunity to show that the excluded minority is responsible for some objectionable activities (which is emphasized by using the active voice) and, therefore, some measures should be undertaken against them (underlined by application of the passive voice). This practice is fully encompassed in FRONTEX’ discourse and can be observed, for example, in the following passages:

Many **migrants** who **cross** the border **illegally** to Greece **move on** to other Member States, mostly through the land route across the Western Balkans [FRONTEX, 2013a:5]

Many of the **migrants** who **crossed illegally** through the Eastern Mediterranean route **are expected** to continue making secondary movements across the Western Balkans and within the EU [FRONTEX, 2013a:6]

Turkey is also used as a point of embarkation for attempts to enter the EU illegally by air. **Migrants take advantage** of low airfares and **arrive** at the Turkish airport of Istanbul by plane [FRONTEX, 2012a:8]

Starting from 2008, considerable numbers of **migrants had been detected** crossing illegally the border between Turkey and Greece [FRONTEX, 2013a:5]

Indeed, the sentences in which the migrants are defined as the subjects committing an action (“cross”, “move on”, “take advantage”, “arrive”) have a direct connotation with illegitimate character of their activity and, thus, emphasize their responsibility. At the same time, representing migrants as the target of FRONTEX’ operations (“had been detected”) and forecasting of their further actions (“are expected”) demonstrate the need of some reaction towards this excluded group of people in order to prevent their entry to the European Union.

3.5.1 Terminological debates: illegal/irregular/undocumented

Generally, it is quite remarkable that FRONTEX’ discourse is characterized by the absence of practically any adjectives and adverbs which are used together with the noun “migrants”. In fact, this nomination method creates a strong categorization by forming an out-group that is practically deprived of any characteristics or metaphors. There are only two exceptions which can be pointed out in this regard in FRONTEX’ documents. The first one is connected with the controversial question of using the adjectives “*irregular*” and “*illegal*” and all their derivatives. The problem of arbitrary choice of proper terminology regarding migration processes and immigrants has been discussed during many years in academic and expert circles. The terminology adopted by migration researchers, governments and journalists differs substantially and is rarely based on a substantive conceptual justification of the selection of one term over another [Paspalanova, 2008:80]. The meaning of the term “illegal” has a clearly negative side, because the exclusionary notion of “illegality” of migrants is simultaneously perceived by the audience of the discourse at three levels: as a form of juridical status of migrants, as their social condition and, finally, even as a mode of being-in-the-world [Willen, 2007:4]. In this connection, in the UN Recommendations on Statistics of International Migration, it is advised to call the “...foreigners who violate the rules of admission of the receiving country and are deportable, as well as foreign persons attempting to

seek asylum but who are not allowed to file an application and are not permitted to stay in the receiving country on any other grounds" as "citizens departing without the admission documents required by the country of destination" or "foreigners whose entry or stay is not sanctioned" [UN, 1998:23]. Thus, the essential criterion here is the presence or absence of the documents authorising the entry in a country. This idea is supported in the report of the UN Global Commission on International Migration, which asserts that a person cannot be "illegal" and recommends to use the term "migrants with irregular status" [Morehouse and Blomfield, 2011:4]. However, there is still no fixed approach to this issue and, thus, both definitions are being used throughout the world. At the same time, the United Nations, non-governmental organizations, and migrant groups in Europe often use the term "undocumented migration" and "undocumented immigrants" in order to soften the negative connotations of other terms (illegal and irregular) [Ibid]. With the same objective, this dissertation is also applying the term "undocumented" in all cases except citations from FRONTEX' documents and publications and the expression "discourse on illegal immigration" which is supposed to demonstrate the negative context created by the agency by choosing this terminological definition.

FRONTEX' discourse provides an utterly interesting example of the application of the terms "irregular" and "illegal". It is noteworthy to mention that the term "illegal" is practically not used in the recent documents of the agency even if sometimes FRONTEX officials still apply this definition towards the migrants as it is demonstrated in the following passage:

The flow of **illegal** migrants in Northeastern Greece is rather constant – it varies from 70 to 100 persons a day [Dikov, 2011]

Nevertheless, the authors of FRONTEX' documents mostly use the more neutral term "irregular" in combination with such nouns as "migrants", "migration", "immigration" and "migration flows". However, a rather curious detail is that the term "illegal" is widely used throughout the agency's documents together with such words as "border-crossing", "stay", "activities", "stayers" and

“entries” (sometimes being also replaced by the word “*clandestine*”), for example:

At the same time, **illegal border crossing, clandestine entry** and refusals of entry all increased significantly against a year earlier, as did the number of asylum applications received by Member States [FRONTEX, 4 October 2011]

The quantitative analysis of one of the most recent FRONTEX’ documents – Risk Analysis Report 2013 – shows that the proportion between the mentioned terms is as follows: the term “*irregular*” is used **49** times while the definition “*illegal*” is given **143** times. Therefore, even if the authors of the agency’s documents try to avoid the application of the phrase “illegal migrants” following the most commonly accepted tendency, the excessive use of this adjective in the connotation with the acts committed by these migrants (entry/cross/stay etc.) creates in the minds of the audience the representation of the threat to the European Community and at the same time constructs the out-group, which was called by R. Wodak the “bad others” [Wodak 2008:304]. This evaluative attribution of illegal character of the migrants’ activities is only one of several rhetorical devices aimed at creating the image of insecurity and danger and thus can be considered as a securitizing practice, the whole specter of which will be analysed more profoundly in the next part of the analysis of FRONTEX’ discourse.

3.5.2 Presenting undocumented migration in the EU as the mass phenomenon

The second case, when the noun “migrants” is accompanied by any metaphors, is the representation of migration to the EU as the mass phenomenon by consequent use of quantitative adverbs and nouns. Numerous examples of this discursive strategy create the impression of the important number of undocumented immigrants who are trying to enter the EU: to achieve this objective, the authors use the phrases like “considerable/large/big number of migrants”, “many migrants”, “majority of migrants”, “most migrants”, etc. Furthermore, with the help of the figure of speech *pars pro toto* (when the whole

is referred to by mentioning only one of its parts), these rhetorical devices contribute to generalizing all the migrants by attributing to them some negative trends without giving any precise information about their number:

However, there is currently **no estimate** of the annual flow of **irregular migrants** crossing the border illegally [FRONTEX, 2013a:7]

Greece is a Schengen exclave and a transit rather than destination country for the **majority of migrants** [FRONTEX, 2013a:27]

Worth mentioning is also the fact that **many more migrants** opted for clandestine entry (hiding in lorries or trains) during 2012 compared to 2011 [FRONTEX, 2013a:27]

Increasing numbers of other migrants, usually from Asia, claim to have been living in Greece for a number of years before deciding to leave for other Member States because of the economic crisis [FRONTEX, 2013a:28]

The thesis about mass character of undocumented migration is also emphasized by using such words as “flow”, “influx”, “wave” and “tide” (reinforced even more by the hyperbolic devices as “overrepresented”, “heavy” and “dramatic effect”). The association with rising water may potentially create a connotation with some natural disasters that should be prevented in order to avoid the damage. The following citations illustrate the use of this discursive practice:

Of the official 2011 figures, by far the biggest **influx** was noted in Lampedusa, where 5031 **migrants were recorded** between January 1 and February 13, in 80 arrivals [FRONTEX, 15 February 2011]

Migrants living in or having relatively easy/facilitated access to Turkey and/or North Africa will continue to be **overrepresented in the flow** of irregular migrants to the EU [FRONTEX, 2013a:61]

On the Central Mediterranean sea route to the EU, 2011 was marked by **heavy influxes** from Libya and Tunisia as a result of the ‘Arab Spring’ uprisings.

Meanwhile, on the Eastern Mediterranean route, migrant **flows** through the previous hot-spot of the Greek-Turkish land border were largely **stemmed** by increased efforts by the Greek authorities. The effects of the Aspida, or ‘Shield,’ operation by Greece had a **dramatic effect on inflows** [FRONTEX, 18 April 2013]

The mentioned above thesis is also accentuated by other rhetorical devices which are constantly reinforcing the image of increasing number of migrants (not only undocumented ones), who in their turn create what the authors of FRONTEX’ documents call “migratory pressure”, as illustrated in the following quotes:

Civil unrest erupting in Tunisia and Libya in 2011 saw a **massive spike** in the number of migrants using this route [FRONTEX, 4 October 2013]

By far the most **dramatic change** of 2010 occurred at the Greek borders with Turkey (land and sea), which recorded a 45% increase between 2009 and 2010. The Greek-Turkish land border in particular saw **massive increases in migratory pressure**, peaking at around 350 irregular migrants a day predominantly crossing a 12.5-km section of land border in the Evros river region, mainly around the Greek city of Orestiada [FRONTEX, 11 may 2011]

It is noteworthy that the **migratory pressure** over the summer months of 2013 was comparable to the same period in 2011 [FRONTEX, 4 October 2013]

Particular attention should be paid to the verb with a very strong and even radical meaning which is often used in FRONTEX’ discourse regarding the phenomenon of undocumented migration – “*to stem*” – which is defined in Macmillan Dictionary in the following way: to stop something from spreading or increasing, especially something bad [Macmillan English Dictionary Online]. It is interesting to observe that different thesauruses give the examples of using this verb in the following connotations: *to stem the flood*, *to stem the tide*, *to stem the rise of crime*, etc. Therefore, this verb is applied always in the negative context towards something that should be eradicated. Here is another example of using this rhetorical device in FRONTEX’ discourse:

We could effectively launch capacity building programmes in third countries, aimed at creating the conditions to help in **stemming irregular migration flows** towards Europe [Tondini, 2010]

Sometimes, the mentioned expressions are used several times in the same sentence to reinforce the idea of the mass character of immigration:

Since the end of the reporting period (March 2011) the **flow** of Tunisians has reduced significantly, in part due to an accelerated repatriation agreement between the Italian and Tunisian governments in April though the **flow** was followed by a subsequent **influx** from Libya of primarily sub-Saharan migrants following civil unrest and NATO Operation Unified Protector in Libya [FRONTEX, 21 July 2011]

When a reader is permanently coming across the hyperbolic words like “flow”, “influx” or “wave” in the immigration context, it is quite natural that as a result of this discursive practice he makes a conclusion about a really big number of undocumented migrants. Indeed, it is a logical passage from the image created in the reader’s mind by the mentioned above hyperboles towards the numerical expression of immigrants. Thus, we observe the substitution of precise numbers by rhetorical devices, while the real number of undocumented migrants is sequentially omitted in FRONTEX’ discourse. But if the reader goes further to find some concrete data, the truth is that this figure makes up only **0.1%** of the whole number of all the travelers coming to the EU [FRONTEX, 2011b:31]. At the same time, even if FRONTEX’ discourse contains some paragraphs regarding information on the number of undocumented migrants, these statements are made on the basis of the already mentioned *presupposition model* and are characterized by the high level of assumption and uncertainty. For example, in the following extract we can observe that without any proof of the increasing number of migrants (“*might be*”), the authors of the discourse use this argument as one of the two possible reasons of the amount of the number of detections of illegal border-crossing. The second potential reason (improvement of detection technique of border officers) is put only in the second

place, even if its probability, expressed by the modal verb “*may*”, is stronger than in the first case.

The **number of detections** of illegal border-crossing and refusals of entry are both functions of the amount of effort spent detecting migrants and the actual flow of irregular migrants to the EU. For example, increased detections of illegal border-crossing **might be due to a real increase in the flow of irregular migrants, or may in fact be an outcome of more resources made available to detect migrants** [FRONTEX, 2013a:10]

Another extract shows a manipulation with the numbers of undocumented immigrants, when the authors of the report define the lowest possible figure as a “conservative” one (notwithstanding already the fact that the proposed variation doubles its meaning) and then give another possible figure, which is much higher than the first one, without any reference to the source of information:

Conservative estimates of the number of irregular migrants within the EU vary between three and six million, according to the results of *Clandestino*, an EU-sponsored project implemented by the ICMPD. **Other estimates** put the figure of irregular migrants at eight million, of which 80% are staying inside the Schengen area, half of them having originally entered it legally [FRONTEX, 2013a:10]

Furthermore, sometimes the authors of the agency’s documents demonstrate pretensions of the absolute infallibility of their opinion with complete disregard to absence of official data, like in the following paragraph on the number of overstaying the granted visas:

No one really has numbers how many people are overstaying their visas but their numbers are **certainly** much higher than the number of illegal immigrants detected at sea or land borders [Dikov, 2011]

Remarkably, sometimes the blame for the impossibility to have precise data is implicitly placed on the migrants, because of “clandestine nature” of their irregular mobility:

Unfortunately, due to the clandestine nature of such causes of temporary irregular mobility and sometimes the political sensitivities associated with them, **detailed and accurate statistics and data are difficult to obtain** [FRONTEX, 2011b:32]

The preceding analysis has shown three main discursive “exclusionary” mechanisms of construction of the out-group of undocumented immigrants: variations in use of active and passive voice which can either define the immigrants as the subjects of negatively represented actions or, vice versa, demonstrate the necessity of undertaking some reciprocal measures; manipulation with terminological controversy between the notions “irregular” and “illegal”, which creates the link between the migrants and illegitimate actions with the potential security threat; finally, representation of undocumented migration as the mass phenomenon, which is not actually confirmed by precise numerical information. This way of nomination and predication of undocumented migrants is even emphasized by the implicit idea of the risk of “invasion” of the immigrants who are represented in FRONTEX’ discourse as the multitude of people concentrated at the external borders and waiting only for some interruption or loosening of border control activities in order to penetrate on the territory of the European Union:

There remains the risk of resurgence of irregular migration, since **many migrants may be waiting** for the conclusion of the Greek operations **before they continue their journey towards Europe** [FRONTEX, 2013a:5]

Moreover, the authors of FRONTEX’ documents have elaborated the “borderline” between the out-group of undocumented migrants and the in-group of the EU citizens: the principal idea here is to construct the contraposition between prosperous and wealthy European Union which is depicted as a cherished target for the migrants from poor miserable countries:

Given the rather limited shift in detections of migrants crossing illegally from Turkey, it is also likely that a substantial proportion of migrants failing or not trying to enter the EU prefer to stay in Turkey, rather than returning **to their more unstable and substantially poorer** home countries [FRONTEX, 2013a:24]

Tens of thousands of citizens from **countries such as Senegal, Mauritania and Cape Verde**, attracted by the **prospect of life in Europe** and lured by the relative proximity of the Canary Islands, had decided to risk a hazardous sea voyage in ill-equipped open boats known as Cayucos [FRONTEX, 2010a:31]

It is also important to mention the collective pronoun “we all”, used in the discussed extract. Moreover, the public speeches and interviews of I. Laitinen are often characterized by the idea of unification of all the European countries and citizens in the context of counteraction against undocumented migration. This technique contributes in shifting of border drawing and constructing the in-group of European citizens on the one side of the border and the out-group of foreigners (potential immigrants) on the other side. In the following paragraph he is expressing his opinion about “European-wide” common approaches and ideas, which are crucial for dealing with the immigrants, and is reproaching the Member States for having their own, “nationally oriented” strategies on this issue:

We have to think **European-wide**. In some areas of border control we have made certain steps, we have a system **of European oriented operations**. But in other ways we still have very **nationally oriented approaches** to things, such as deciding eligibility for asylum. As long as this **fundamental question of immigration is not European-wide**, we will continue to have to deal with it. We have had to postpone or even cancel some maritime operations because there was no solution about what to do with people who have been picked up or rescued. So I see no choice but to have a common policy. However, it is quite a **challenge for citizens to start thinking in a more European way**. It will take a long time. It really is a **challenge** [FRONTEX, 2010a:14]

By calling the EU citizens to think in a “more European way” and representing this need as a challenge, Laitinen favours the existence of the in-group which is

opposed by some sort of danger from outside and, therefore, needs to unite in order to resist to this threat. This idea is backed up by another FRONTEX' high official – Deputy Executive Director G.A. Fernandes – who is even more rigid in his evaluations of undocumented migration. In the following citation we observe once more the construction of the in-group of European citizens (“challenges *for us*”), who are threatened by the danger “from the outside”:

There are still **challenges for us** in the future, but all of them are **from the outside, from the external environment**. And FRONTEX is ready to meet them [FRONTEX, 2010a:75]

The analysis undertaken in this chapter has demonstrated how the discursive strategy of nomination in FRONTEX discourse promotes the construction of the excluded out-group of undocumented immigrants who are labeled by the features that draw the connection with the potential risk and danger to the security of the European Union. The next step now is to examine by what argumentation schemes the authors of the agency's documents try to prove that the exclusion of undocumented immigrants is justified. The subsequent discourse analysis will show the rhetorical devices which can be considered as securitizing practices aiming to create the image of security threat caused by undocumented immigrants.

3.6 Discursive strategy of argumentation: creating security issues

The analysis of the rhetorical devices used in FRONTEX' publications as argumentation schemes of exclusion of the “out-group” of undocumented immigrants gives an opportunity to see the way in which these discursive techniques allow the agency to “induce or increase the public mind's adherence to the thesis presented to its assent” [Perelman and Olbrechts-Tytecka, 1969:4]. Indeed, after having drawn a relative line which creates the division into in-group and out-group by using nomination and predication discursive strategies, which have been analysed in the previous chapter, the authors of the examined documents formulate several implicit arguments (or, using R. Wodak's terminology, *topos*) in order to substantiate the process of exclusion. In this

context, several principal discursive practices aimed at justification of the construction of the out-group of undocumented migrants can be singled out in FRONTEX' documents.

3.6.1 Constructing the threat for internal security of the EU

The first discursive practice consists in fixing a strong link between the phenomenon of migration and the feeling of insecurity (danger) in the opinion of the audience addressed by FRONTEX' discourse. This discursive strategy is in fact turning "illegal immigration" into a security threat for the European Union and its citizens – throughout the analysed sources, one can sequentially trace the idea of presence of some external threat, e.g. like in the following passage from the speech of FRONTEX Executive Director I. Laitinen:

We assess what is the likely **threat** that **threatens** the **external borders**, **border security**, and **EU citizens from outside**. In other words, **criminal pressure**, in terms of **illegal migration**, human trafficking, and so on, not disregarding other types of organized crime and fighting international terrorism [Laitinen, 2006]

This quotation gives at once multiple sub-points which are worthy of being analysed, as in only several lines we can see all the basic discursive techniques applied in order to create a negative and even "criminalized" image of migration processes. To start with, the security of the EU citizens is put under direct dependence from the security of external borders of the Community. Thus, with this way of interpretation, the mission of FRONTEX, which is responsible for surveillance of the EU external borders, should be considered as critically important as it prevents the mentioned "threat from outside".

FRONTEX' discourse contains a certain number of hyperboles, which can be found in the phrases which describe the scope of FRONTEX' activities and initially accustom the readers to the feeling of some threat, therefore creating security issues. Such words as "exceptional", "unforeseeable" and "unpredictable" regarding the situation at the external borders of the EU, even

without direct link to undocumented migration, have the hidden semantic inflection of some potential danger to which the European citizens are opposed.

FRONTEX coordinates operational and EU measures to jointly respond to **exceptional** situations at the external borders [FRONTEX, 2013b:7].

However, past experiences demonstrate that there are a large number of **unforeseeable events and factors** that can have a **profound and unpredictable impact** on the situation at the border [FRONTEX, 2013a:61]

Another way of using hyperbolic devices is often found in connotation with the issues of detecting undocumented migrants at the EU external borders. Here, the attention should be paid first of all on the repetitive use of the verb **to detect** and all its derivatives (*detection, detecting, detected*) in FRONTEX' discourse. Taking into account that the word "detect" has the meaning of "discerning something hidden or subtle" or even of "learning something hidden or improper" [Farlex Thesaurus], and thus has a rather negative notional meaning, the use of this word in permanent link with undocumented migrants contributes to the negative perception of this issue by the audience. The analysis of FRONTEX' discourse demonstrates also that the word "detect" and its derivatives are almost never substituted by the synonyms with more neutral meaning (e.g. find, identify or any other words). Furthermore, the examined sources contain numerous examples of using various phrases where the word "detection" is used in the phrases with such hyperboles as "dramatic", "unprecedented", "sharp", "sudden", "remarkable", etc. This combination shows to the readers the mass character of undocumented migration in the EU and stresses on the necessity to react upon this occurrence, as the following extracts illustrate:

Illegal border crossings along the EU external borders dropped **sharply** in 2012 to about 72 500 **detections**, i.e. half the number reported in 2011. The situation changed **dramatically** in August 2012 when the Greek authorities mobilised **unprecedented** resources at their land border with Turkey, including the deployment of 1 800 additional police officers. The number of detected illegal border crossings **rapidly** dropped from about 2 000 in the first week of August to below 10 per week in October 2012 [FRONTEX, 2013b:9]

In 2012, the nationality with **the most dramatic change** in the number of **detections** were Syrians, both in terms of relative growth and absolute number [FRONTEX, 2013a:20]

All maritime assets and crews will be provided by the Italian authorities and will patrol a predefined area with a view to **detecting and preventing illegitimate border crossings** to the Pelagic Islands, Sicily and the Italian mainland. [FRONTEX, 21 February 2011]

The **large and sudden increase** of **detections** in 2011 in the Central Mediterranean, in the wake of the ‘Arab Spring’ and subsequent departures from Tunisia and Libya, had been reduced by the end of the year [FRONTEX, 2013b:9]

Detections have followed a **remarkably seasonal pattern invariably peaking** in the third quarter of each year and concentrated at the border between Greece and Turkey [FRONTEX, 2013a:22]

Moreover, it should be mentioned that in FRONTEX’ discourse even speaking about regular migration is referred to the potential risk and is concerned as a challenge for the EU, as demonstrates the next extract:

An **ever-increasing** number of people coming to the EU poses a challenge of having less time for the entire process of person and document authentication and/verification, and efficiently detecting the “**risky**” ones, which should undergo a more thorough check [FRONTEX, 4 July 2013]

Notwithstanding that FRONTEX’ usual focus of attention is directed towards undocumented migration and related problems, topic of regular migration and visa regime required for the citizens of the third countries is often touched upon in the analyzed sources. Interpretation of the requirements of visa regime in FRONTEX’ discourse has a rather uncommon for the EU agency character:

Visa policy acts as a form of pre-entry procedure to ensure that third-country nationals comply with entry requirements, **which helps to prevent irregular**

migration. In this respect, particularly important in **preventing subsequent illegal staying** is the role of consular offices in third countries determining whether a third-country national should be granted a visa or not [FRONTEX, 2013a:14]

In this passage, it is clearly indicated that the requirement of obtaining entry visas for foreigners is connected exclusively with counteraction to possible undocumented migration. At the same time, the official position of the EU regarding visa policy, described in the Community Code on Visas, contains quite different interpretation, putting on the first place the necessity to further travelling of the citizens of the third countries:

As regards visa policy, the establishment of a 'common corpus' of legislation ... is one of the fundamental components of 'further development of the common visa policy as part of a multi-layer system aimed at **facilitating legitimate travel** and **tackling illegal immigration** through further harmonisation of national legislation and handling practices at local consular missions' [European Parliament, 2009:art.3]

In some speeches and interviews of FRONTEX officials, one can find the attempts to rehabilitate the position of the agency on interpretation of its principal mission. For example, Director of Operations Division K. Roesler gives the following explanation:

I would like to underscore that FRONTEX' mission should not be misunderstood – we are committed to **facilitate the legal movements and to promote fundamental rights**; we see borders as connecting people, but we [also] have to **fight irregular activities and prevent cross-border criminality** [Deliso, 2011]

However, the analysis of FRONTEX documents gives quite another impression. Thus, all the passages dealing with visa procedures suggest an implicit idea which represents even regular migrants as potential infringers of the European laws:

Member States have introduced a variety of specific measures in their visa-issuing procedures to **tackle irregular migration**, which includes the assessment of willingness to return, the training of personnel at embassies and consulates, and cooperation and information exchange with other entities and Member States. Other **preventive measures** include the use of biometric data in the visa application process, as well as the identification of specific categories of migrants who **might misuse** their visa and awareness raising in third countries of the consequences of making fraudulent applications [FRONTEX, 2013a:13]

Moreover, “illegal migration” is viewed as one of the manifestations of the external “criminal pressure” and is placed in one line with international terrorism, international organized crime and human trafficking. Even if it is clear that the majority of undocumented migrants are not implicated in the mentioned criminal activities, this repetitive connotation in FRONTEX’ discourse creates a steady connexion in the mind of the readers, as it can be observed in the following extract:

FRONTEX develops capacities at the Member State and European level as combined instruments **to tackle the challenges of migration flows and serious organised crime and terrorism at the external borders** [FRONTEX, 2013b, 7]

The way of generalization of all undocumented migrants in FRONTEX publications by relating them with illegal activities as smuggling, terrorism or other criminal acts, is supposed to justify the necessity of counteraction against the migrants. Next passage shows how the problem of immigration is represented as the major security concern in ensuring border control:

Preventing illegal flows involving mobility that is temporary (for instance smuggling or activities related to **crime** or to **terrorism** movements) or more long-term (in the form of **illegal migration**) - **is generally thought of as one main task, if not *the* one, of border control** [FRONTEX, 2011b:5]

To demonstrate the agency's readiness to oppose to this "threat", the authors of the analysed documents are using rather bellicose expressions, which would be probably more appropriate and pertinent in the context of some military operations than while speaking about ensuring border control. The use of such words as "combat", "suppression" and "cross-border crime" in migration context in the following extract is creating an extremely unfavorable connotation and placing undocumented immigration in one line with such heavy infringements of international law as human trafficking:

The purpose of the arrangement⁵ was to establish a framework for cooperation between these two institutions facilitating the **prevention, detection and suppression** of cross-border crime, in particular in terms of border security to **combat** illegal immigration, smuggling of people and trafficking in human beings [FRONTEX, 29 May 2009]

Furthermore, FRONTEX Executive Director I. Laitinen in one of his speeches, talking about risk assessment activities of the agency, is completing the enumeration of external "threats" for the EU in the context of "criminal pressure", mentioning first of all "illegal migration" altogether with organized crime and even terrorism:

We assess what is the likely **threat** that **threatens** the external borders, border security, and EU citizens from outside. In other words, **criminal pressure**, in terms of **illegal migration**, human trafficking, and so on, not disregarding other types of organized crime and fighting international terrorism [Laitinen, 2006]

The mechanism of representation of undocumented migration in connexion with various dangerous criminal activities is actually shifting the focus of attention of the discourse audience. In this case, the matter concerns not simply ensuring border control in order to prevent the entry of undocumented migrants, who obviously do not correspond to the legal entry requirements of the EU, but as it is described in the following passage, "illegal flows" of migrants are directly connected by the authors with the "fields of crime and security":

⁵ The matter concerns signing the working arrangement on cooperation between FRONTEX and INTERPOL on 27 May 2009.

... illegal flows across EU borders whose aim and/or methodology is concerned with temporary flows – specifically, related to **smuggling, organised crime and terrorism**. These three causes all fall under the **fields of crime and security** and, as such, are of particular concern to those involved in the management of **border security** [FRONTEX, 2011b:31]

The idea of presence of some external threat at the borders of the EU is essential also for FRONTEX' risk analysis concepts. However, it is of high importance to stress the fact that “irregular migration” and “security threats” are normally not at all identical notions, as it can be seen in the following quote where these two domains of FRONTEX activities are clearly separated:

The ARA⁶ 2013 concentrates on the current scope of FRONTEX operational activities, which **focus on irregular migration** at the external borders of the EU and the Schengen Associated Countries. Central to the concept of integrated border management (IBM), **border management should also cover security threats present at the external borders** [FRONTEX, 2013a:8]

Thus, it would be obvious to say that aspiring to enter the territory of the EU undocumented migrants cannot be related without any reserve with such real security threats as international terrorism, drug trafficking, illegal arms trade, etc. At the same time, as it has been demonstrated above, in many of the analysed sources these two spheres of FRONTEX' activities are described as some common aspects of a general security threat. The problem is constructed in the way which establishes the connexion between ensuring security of the EU and fight against illegal border-crossings, as demonstrates the next passage:

Regular travel represents the vast majority of border crossing events (BCEs). However, such crossings are standard and the major issue for Border Guards is that of facilitation, whereas **illegal BCEs**, despite their being only a fraction of the number of border transactions, actually demand more stringent attention to **ensure security** [FRONTEX, 2013a:10]

⁶ Annual Risk Analysis

3.6.2 Security, threat and risk conceptions in FRONTEX' discourse

Speaking about security aspect in FRONTEX' discourse, it is noteworthy to analyse the terms which are used in the agency's papers. Ultimately, the authors of the documents are operating with three conceptual notions: *security*, *threat* and *risk*. According to A. Neal, at the time of creating the agency there was an evident prevalence of the concept of risk which can signify a "move away from the political spectacle of the security emergency in favour of a quieter and more technocratic approach" [Neal, 2009:348]. As a proof of his statement, the author has underlined that, for example, in the Regulation on the establishment of FRONTEX the term "security" was used only once while the term "risk" appears nine times [Ibid]. Indeed, *security* is mentioned in the Regulation only in the general context of the EU "area of freedom, security and justice" [Council of the European Union, 2004:349/2]. At the same time, a significant part of the Regulation is dedicated to risk analysis model as one of the main FRONTEX' tasks aimed at elaboration of necessary measures which can be undertaken against probable threats:

... agency should carry out risk analyses in order to provide the Community and the Member States with adequate information to allow for **appropriate measures to be taken or to tackle identified threats and risks** with a view to improving the integrated management of external borders [Council of the European Union, 2004:349/1]

Indeed, risk analysis is considered as a crucial element of the agency's work, being the "starting point for all FRONTEX' activities, from joint operations through training to research studies" [FRONTEX website]. Furthermore, it constitutes an integral aspect of constituting FRONTEX' epistemic power taking into consideration that more than any other publications of the agency, risk analysis reports are distributed among a "wide range of partners": border control authorities both within the Schengen area and at the external borders, as well as Member State actors in cooperating neighbouring countries and non-EU states farther afield [Ibid]. The ultimate importance of FRONTEX' risk analysis is stipulated by the fact that the conclusions and assumptions made by

the agency's experts are used by "decision-makers in setting priorities, developing counter-measures and determining future goals" as well as to "underpin planning for other activities such as training, or research and development" [Ibid]. Therefore, by diffusing its ideas through risk analysis publications and recommendations for decision-making actors of security field, FRONTEX has an opportunity to realize its indirect epistemic power. In this context, it would be appropriate to see what is implied by the authors of FRONTEX papers when they are using the term "risk", especially having in mind the above-mentioned correlation between *security* and *risk* in FRONTEX' discourse. That is how the authors of the agency's report define the key conceptions:

... management approach to risk analysis defines **risk** as a **function of the threat, vulnerability and impact**. 'Threat' is a force or pressure acting upon the external borders that is characterised by both its magnitude and likelihood; '**vulnerability**' is defined as the capacity of a system to mitigate the threat and '**impact**' is determined as the potential consequences of the threat [FRONTEX, 2013a:11]

This definition explicitly demonstrates that in FRONTEX' terminological system *risk* is directly related with *threat*: the main function of risk analysis is to detect the possible threats, find the ways to mitigate them and foreknow their probable consequences in order to minimize their negative effects. Coming back to A. Neal's conclusion that the shift from using the term *security* towards the "quieter" notion of *risk*, observed in 2004 in the Regulation on establishment of FRONTEX, meant a diversion from security emergency context, it will be also equitable to say that this terminological change does not necessarily mean a real evolution of views within the EU security field. The central idea of mitigation of possible threats has always been present in the core of FRONTEX' risk analysis activities and, moreover, it is tightly connected with security context, as illustrates the next abstract

A coherent and full **analysis of the risks affecting security at the external borders** requires, above all, the adoption of common indicators. The analysis

will need to identify the risks that arise at the external borders themselves and those that arise in third countries [FRONTEX, 2013a:9]

In order to compare the correlation between the terms of risk and security in FRONTEX' constitutive documents, three more Regulations of the European Parliament and of the Council were analysed in this dissertation. The number of times when the mentioned terms are used in the documents is given in the table below.

Constitutive document	Security	Risk
Regulation No 2007 (26.10.2004)	1	9
Regulation No 863 (11.07.2007)	1	1
Regulation No 1168 (25.10.2011)	10	14
Regulation No 1052 (22.10.2013)	7	10

The relevant changes of the number of times of using the term “risk” is of little interest in this case, as almost every time the context of its application refers to risk analysis undertaken by the agency. As it has already been mentioned above, FRONTEX risk analysis is focused on possible security threats and, thus, contributes as well to “construction” of security issues and representation of undocumented migration as its integral part. However, the evolution of the context in which the authors of FRONTEX' constitutive documents are using the term “security” is revealing the process which A. Neal called “return of security” to FRONTEX' discourse. Already in 2007, even if the notion *security* appears in the Regulation only once, the context is completely different in comparison with the previous document (2004):

Effective management of the external borders through checks and surveillance **helps to combat illegal immigration and trafficking in human beings** and to prevent any **threat to the internal security, public policy, public health and international relations of the Member States**. Border control is in the interests not only of the Member State at whose external borders it is carried out but of **all Member States** which have abolished internal border control [Council of European Union, 2007:199/30]

It is noteworthy to pay attention to placing “illegal immigration’ in one line with trafficking in human beings, which serves as one more of the numerous examples of creating the negative connotation of migration phenomena with criminal activities, as well as to the choice of the verb with a very strong “militarized” meaning – *to combat*. However, the major observation to make while reading the cited above extract is that external borders’ management is considered as a direct guarantee of internal security of the European Union, as well as to such vital spheres as public health, public policy and even international relations of the Member States. In this way, the audience of the discourse can make a straightforward conclusion: undocumented migration presents a direct security threat to the EU countries, and therefore to the EU citizens. This “internalizing” the possible effects of ensuring external borders management as a reaction towards security threats, when undocumented migrants are represented as a menace to internal security of the European Union, is a rather wide-spread technique used in FRONTEX’ discourse. In the next paragraph, for example, the matter concerns the persons who enter the EU with false documents and, according to the authors of the document, present a serious threat:

Document fraudsters not only **undermine border security** but also the **internal security** of the EU [FRONTEX, 2013a:63]

When a reader meets up an expression like “undermine internal security”, the created image is the one of massive illegal entry of immigrants who threaten the well-being of the EU citizens. The question to put in this context is whether illegal border crossings are so numerous to be capable to threaten seriously the internal security of the Member States? As it has been already explained in the previous chapter, this figure is quite insignificant (see p.54) and the proof of this fact can be even found in FRONTEX’ documents, which define illegal border-crossings (BCEs) as “only a fraction”:

Whereas illegal BCEs, despite their being **only a fraction** of the number of border transactions, actually demand more stringent attention to ensure security [FRONTEX, 2011b:10]

However, the thesis about a serious threat to internal security of the EU countries is running all through FRONTEX discourse. It can be revealed, for example, in the speech of I. Laitinen dedicated to the necessity of creating uniform law enforcement system in the EU states and its neighboring countries:

We must understand **that border security does not start and does not end at the border**. It is just one area in which we are performing our duties. There should be no barriers between law enforcement in the Member States and Third Countries [Laitinen, 2006]

Thereby, already in 2007 the connotation between “threats’ caused by the phenomenon of undocumented migration was related with internal security of the European Union. In posterior constitutive documents (2011, 2013) the notion of *security* appears many more times in the context of “security of external borders”, “security principles and standards” and what is remarkable, for the first time in FRONTEX’ discourse, the matter concerns also the right of undocumented migrants to “liberty and security” especially during joint return operations conducted by the agency (the reasons of such a novelty in the discourse will be analysed in the next chapter dedicated to FRONTEX’ humanitarian discursive practices). Thus, FRONTEX’ discourse is operating with an argumentative scheme which emphasizes the presence of an external threat caused by undocumented migration by paying particular attention to its influence on internal security of the Member States. The representation of migration as a security issue and the construction of the image of insecurity in the minds of the audience addressed by the discourse serve as a justification for exclusionary practices towards undocumented migrants.

3.7 Discursive strategy of perspectivization and mitigation

After having analysed the argumentative discursive strategy which represents undocumented migration as a security issue in order to substantiate the social exclusion of immigrants, it is also reasonable to examine FRONTEX' discourse to see on whom the responsibility for "illegal border crossing events" is predominantly placed. It is essential to mention here that by identifying undocumented migration alongside with such crimes as international terrorism, human trafficking, smuggling, etc. and therefore contributing to criminalization of migration, FRONTEX clearly singles out a group of persons responsible for illegal BCEs – "facilitators of illegal migration". In what follows, the analysis of the agency's documents will show two discursive practices: criminalization of facilitators and victimization of undocumented immigrants.

3.7.1 Criminalization of undocumented migration vs victimization of immigrants

Facilitation of undocumented immigration, according to the authors of FRONTEX' publications, is considered as one of the types of "serious organized crime", as it follows from the next passage:

As is true for other serious organised crimes, facilitators of irregular migration make an extensive use of the internet according to Europol reports [FRONTEX, 2013:36]

In this context, criminalization of immigration plays also its important role in construction of some sort of the out-group and in its contraposition to security of the EU citizens. In the following extract, FRONTEX Executive Director | I. Laitinen is speaking about facilitators of undocumented migration, putting them and, implicitly, the migrants themselves on the "opposite side" of the border:

In a way **we are all on one side** of the border together and on **the opposite side are the criminal organisations** who are **exploiting** and **abusing** people for their own purposes [FRONTEX, 2010a:13]

The facilitators of immigration are represented as the members of “criminal organisations”, while those citizens of the third countries who are heading to enter the European Union without required authorization with the help of these organizations are defined as “exploited” and “abused” victims of facilitators. This manner of representation is common for all FRONTEX’ documents which describe facilitators as a well-organized network with strong hierarchy and distribution of duties between leaders, their subordinates and even “local agents” who live in the EU countries and assist in reception of undocumented migrants:

Facilitation of irregular immigration is usually nationality- or ethnicity- based and the **OCGs⁷ are hierarchically structured**. The leader is responsible for the **coordination of the smuggling** throughout a certain territory, and has international contacts with **other networks** doing other parts of the smuggling action, and with coordinators in other countries. The leader coordinates drivers, guides, providers of accommodation often assisted by **‘local agents’** [FRONTEX, 2013a:36]

By the example of Bangladeshi migrants, FRONTEX’ discourse demonstrates how facilitators are taking advantage of unfavorable conditions of life of deprived population in the poor countries to “deceptively” convince them that leaving for more prosperous European states is the best solution in this situation:

Following the **economic crisis** in the area, **salaries fell and fewer jobs were available**; consequently, many migrants decided to try to reach the EU in search of better employment opportunities. It was established that **facilitators** working in the Gulf area **deceptively assured** the migrants that there were plenty of good jobs and high salaries in Greece [FRONTEX, 2013a:26]

⁷ Organized crime groups

Naturally, the poorest people, often having no access to any other information, rely on facilitators and take decision to try to enter the territory of the EU with their help and, as it becomes clear from the next extract, have to pay a tremendous for the living standards in their home countries amount of money. Representing immigrants as victims of criminal organizations, whose real goal is to use their “clients” as the objects of sex trade or forced labour, FRONTEX’ discourse contains a very clear distinction between facilitators and undocumented migrants by opposing “unscrupulous smugglers” to “desperate” and “vulnerable people”. According to FRONTEX Deputy Executive Director G.A. Fernandez, undocumented migrants are often exposed to unbearable conditions of transportation, which can unfortunately bring to their death, like it happens, for example, with Afghani migrants:

Facilitators lure ... **desperate people** with the promise of an easy crossing and a better life, and charge up to USD 7,500 for a trip from Afghanistan. This is not always the case. Tragically, since the beginning of the year 41 people lost their lives trying to cross the Evros river or the sea in the area of Alexandroupoli, many more die as a result of the dangerous forms of transport used by **unscrupulous smugglers**, others still end up **victims of trafficking for the sex trade or in forced labour** [FRONTEX, 30 November 2010]

Here is another example of the “double” discursive strategy of victimization of migrants (vulnerable people who have to undertake the “harsh and dangerous journey”) and criminalization of traffickers:

As more information was received, verified and analysed, it was possible to build a picture of the **criminal infrastructure** which had launched so many **vulnerable people** on a **harsh and dangerous journey**. As a result, a number of the unscrupulous ‘facilitators’ who took money from **desperate people unaware of the dangers they faced** were arrested [FRONTEX, 2010a:36]

Furthermore, in numerous publications and interviews FRONTEX’ officials are consequently reproducing the idea of guiltlessness of undocumented migrants placing all responsibility for possible negative effects of immigration on facilitators who are using all available tools to deceive, intimidate and exploit the

immigrants in their criminal purposes. In the following passage, Head of Operational Analysis and Evaluation Sector A. Saccone describes potential undocumented immigrants as ambitious persons striving for better life conditions in one of the EU countries and are sometimes obliged to ask for help of the “criminal world of facilitators” that results in falling under complete dependence on the criminals and having to fulfill all their orders:

Maybe you are an **ambitious person living abroad**, but you look for an **opportunity to work in the EU**. You get in touch with this **criminal world of the facilitators**. And from that contact, a lot of things will happen. **They will take your real passport, they will give you a false passport, they will blackmail your family if you don't pay**. But if you pay, they promise you some sort of job at the other end. It is the start of an unequal relationship that leaves people at the mercy of criminals [FRONTEX, 2010a:51]

FRONTEX' discourse also demonstrates in a clear way what happens with undocumented migrants as soon as they manage to enter the EU territory and are, since this moment, “lacking residency status, and, therefore, vulnerable to exploitation” [FRONTEX, 2013a:24]. An important observation to make here is that the agency's discourse emphasizes the fact the all the most serious negative consequences for undocumented immigrants take place already in Europe, after their transportation from their home countries. From the other hand, stressing on this idea contributes as well in forming a public thought about potential danger of undocumented migration as it is connected with illegal activities on the territory of the EU. The next passage from the interview with FRONTEX Operations Division Director K. Roesler can serve as an example of transmission of the described discursive technique:

We know how it goes: **people in their home country are given an offer to get into Europe**, where they are told they will be able to work and make money for their families; they are provided a ride, but then the amount requested is not enough... the whole family or clan is ordered to contribute more money to the traffickers. And after they do, it is still not enough, and then **when the migrants get to Europe, that is where often the true slavery starts**. The trafficked

persons have to keep making money for the trafficking organizations [Deliso, 2011]

This extract, in fact, shows once again how FRONTEX discourse relieves the responsibility of undocumented migrants by describing them as decent persons whose only aim is to “be able to work and make money for their families” and who are exploited by the traffickers. This way of representation of undocumented migrants as victims of the “criminal network” of “unscrupulous” facilitators moves aside the attention from the voluntary choice and decision made by the immigrants themselves. Furthermore, the agency’s publications abound in description of cases of cruel treatment of the immigrants which are often exposed to different kinds of exploitation. The following example illustrates the dreadful consequences for women who can be involved in prostitution to be able to pay the facilitators for their transportation to one of the EU countries:

A woman trafficked into prostitution in an EU country will have to **work ten hours a day and have at least 20 customers per day in order to pay back the facilitators who organized her entry into the EU**. And she will have to do this **six days a week for 52 weeks a year, no holidays**. At 50 Euros per customer, she ends up giving the facilitator around 300,000 Euros in one a year to pay off her debt [FRONTEX, 2010a:50]

There are obviously some cases when women are forced to prostitute by being threatened and blackmailed by their traffickers. There is as well no doubt that the awful conditions of life and work in which these women find themselves must be condemned and fought against as far as possible. However, the manner of describing the situation so much one-sidedly as it is made in the analysed paragraph, when undocumented migrants are represented as victims of traffickers, overlooks an essential point – it is often a choice made by migrants themselves when they take a decision to go to the EU countries without required legal authorization. Having no other means to pay for their transportation to Europe, they are obliged to be involved in various criminal activities, but the responsibility in this case is shared between them and facilitators. By using this discursive technique, the authors of FRONTEX’

publications achieve two goals at once – first of all, they focus attention on victimized status of undocumented migrants. In this context, FRONTEX discourse makes a special emphasis on the danger for one of the most vulnerable groups exploited by traffickers – unaccompanied minors – who should be “efficiently protected” from any infringements of their health or any kinds of possible exploitation. One of the FRONTEX’ press releases contains the following information:

Unaccompanied minors represent a **particularly vulnerable group** that are open to **sexual, economic or criminal exploitation**, including the **removal of organs** and as such constitute a population which should be more **efficiently protected**. Though **criminal networks** are heavily involved in **human trafficking and people-smuggling** into the EU, among the exploiters taking advantage of children are sometimes their own relatives [FRONTEX, 13 December 2010]

The topic of possible exploitation and “illegal transportation” of minors can be observed as well in other FRONTEX’ publications. This emphasis on the most vulnerable group of undocumented migrants has the potential impact on emotional perception of this information by the readers and therefore can assist in achieving the goal of shaping the understanding that FRONTEX’ activities are directed most of all on protection of immigrants’ lives and health and those of children in particular. While saying this, the authors of FRONTEX’ publications do not focus attention on the content of “appropriate steps” which should be taken by border guards – the reader’s attention is focused exclusively on the idea of saving children’s lives. The following extract gives an example of such discursive strategy:

For reasons of child welfare, the emphasis throughout the operation was on crime prevention rather than investigation of criminals, by ensuring that **vulnerable children** at risk of being trafficked into the EU were identified at the earliest possible juncture and **appropriate steps taken** [FRONTEX, 19 January 2011]

Secondly, the mentioned discursive technique contributes as well to securitizing immigration in the minds of audience. As it is mentioned in the interview of K. Roesler (see p. 74), “when the migrants get to Europe, that is where often the true slavery starts”. Therefore, the audience of FRONTEX’ discourse is supposed to come to the conclusion that undocumented migration presents a threat to internal security of the EU and thus should be prevented. At the same time, facilitators are described in the following passages as dishonest criminals who stay insecure while putting migrants’ lives in danger:

Widespread shift towards the abuse of legal channels and document fraud to mimic legal entry to the EU, which results in **facilitators being able to operate remotely and inconspicuously** rather than accompanying migrants during **high-risk activities such as border-crossing** [FRONTEX, 2013a:35].

This method (of transportation) requires migrants to stay in confinement for long periods of time, and is known to **put migrants lives at risk of suffocation and dehydration** [FRONTEX, 2013a:34]

Sometimes, however, traffickers can accompany the immigrants on their route towards Europe, for example during crossing the sea by boats, but in this case they present direct danger also to border guards. That is how I. Laitinen describes an incident which happened during FRONTEX sea operation Poseidon in 2011 when traffickers started to shoot to Greek frontier guards:

This case shows that **facilitators have no scruples. They open fire on border guards, they expose migrants’ life to danger sending them to the open seas** [FRONTEX, 20 May 2011]

The episteme of insecurity is presented here in two aspects – it demonstrates the evident danger for European border guards and contributes as well to victimization of immigrants. Undocumented migrants in FRONTEX’ discourse are described in this context as the persons “in distress” undergoing a serious risk of life because of unsafe conditions of transportation to which they are exposed, especially in the sea, as the next passage illustrates:

The migrants arriving in Italy and Malta mostly use wooden fishing boats which are often **overcrowded** and thus **prone to sinking** or capsizing in **high-sea conditions** and are often ill-equipped with **poor engines and navigation systems**; two factors contributing to the **risk to life**. As a result of these practices, **tens of thousands of people become the subject of search-and-rescue (SAR)** in the Mediterranean every year. FRONTEX operations took part in almost 900 SAR cases off Europe's southern borders between 2011 and 2013, affecting almost 50,000 **people in distress** [FRONTEX, 4 October 2013]

3.7.2 Humanitarian component in FRONTEX' discourse

This paragraph contains another essential idea of the agency's discourse – this way of presenting FRONTEX' activities creates an impression that the main task of border guards lies mostly not in non-admission of undocumented migrants on EU territory but in protection of their lives especially in the situation of calamity or shipwrecks. Therefore, the use of term “search-and-rescue operations” multiplies this effect by presenting FRONTEX' operations more as rescue activities than as border protection mission. This tactics demonstrates well the example of retreat from the principle of epistemic validity. Obviously, this does not mean that border guards involved in FRONTEX' sea operations are not making every effort to save undocumented migrants' lives. However, this way of presenting the agency's operational activities draws away attention of the audience from the fact that FRONTEX' principal task is “tackling the problems encountered at external borders” [Council of the European Union, 2004:349/5] and not conducting life-saving operations. Moreover, in order to reinforce the effect caused by the description of dangerous and sometimes mortal conditions of transportation of undocumented migrants to Europe, the agency's reports and publication are amplified with evidences of the border guards who were taking part in FRONTEX' sea operations. This technique manages to “brighten up” the monotonous language of FRONTEX' documents and to make the expressed ideas more accessible to being perceived by the audience. Here are several examples of narratives of FRONTEX' Sea Operations Officers:

I was on mission last week. Thunderstorm with hail. We got the call that there was a search and rescue case. We started looking just as the weather got very bad. **Out of 12 people who were reported missing, eight of them had been washed dead onto the shore.** Among these there was a seven-year-old girl. I helped the coast guard put her into a body-bag. **This girl had been promised heaven in the European Union, but she had been cheated of her life. She paid to be dead. The facilitators, the people traffickers, left her to die.** It's very painful, very distressing [FRONTEX, 2010a:35]

It is very **painful to pick up dead people**, to know that other people are missing. **Of course we feel.** Of course we have feelings, of course it is frightening when you see people in boats like this [FRONTEX, 2010a:32]

These horrifying evidences make the ideas contained in FRONTEX' discourse more comprehensible for the audience whose normal reaction would be to feel at once compassion for dead and injured undocumented migrants, contempt for traffickers who "promised heaven in the European Union" for immigrants who were instead "cheated of their lives", and finally respect and admiration for border guards who are saving human lives. Fight against undocumented immigration, following the logic of FRONTEX' discourse, will first of all allow avoiding numerous migrants' deaths, as it is declared in the following extract:

If this flow could be stemmed, not only would a major irregular immigration route to Europe be closed, but **thousands of deaths by drowning could be prevented each year** as overloaded boats (sometimes with more than one hundred people jammed aboard) set out on a **long and treacherous journey** [FRONTEX, 2010a:31]

The discursive technique, which emphasizes FRONTEX' activities which are aimed at saving immigrants' lives, has been called by K. Horsti "humanitarian discourse legitimating migration control" [Horsti, 2012]. Indeed, humanitarian context is successfully used by the authors of FRONTEX' publications in order to substantiate carrying out various operational activities and even those of extraterritorial scope (beyond EU territory), like it was for example in the case of the operation Hera III. The principal reason for this operation is defined in the

agency's press release as prevention of migrants from undertaking a "long sea journey" for reducing the "danger of losses of human lives":

The focus of the operation will be joint patrols by aerial and naval means of Spain, Italy, Luxembourg and France along the coast of West Africa. The aim of these patrols, carried out with Senegalese authorities, will be to **stop migrants from leaving the shores on the long sea journey and thus reducing the danger of losses of human lives** [FRONTEX, 15 February 2007]

As it was declared by I. Laitinen after the end of the operation, its conducting has managed to save more than a thousand human lives:

Very low numbers of illegal migrants arriving to the Canary Islands and **more than a thousand of human lives saved** – that is the outcome of Frontex coordinated operation Hera III. The total of 1167 migrants were diverted back to their points of departure at ports at the West African coast, thus **preventing them to risk their lives on the dangerous journey** [FRONTEX, 13 April 2007]

3.7.3 Respect for human rights as the "crucial principle" for FRONTEX

Likewise the given above example, FRONTEX' discourse contains plentiful mentions of humanitarian nature of the agency's activities. According to I. Laitinen, the principle of humanity and respect for human rights is essential for border control operations:

The respect of fundamental rights is a crucial part of the European border control service. The latter, as stressed in our policy documents, must be characterized – in the first instance – by the **principle of humanity** [Tondini, 2010]

Furthermore, the agency's activities in the sphere of border management are based on the provisions of the Charter of Fundamental Rights of the EU, as it is declared in FRONTEX' General Report 2012:

FRONTEX supports, coordinates and develops European border management **in line with the Charter of Fundamental Rights** of the EU [FRONTEX, 2013b:7]

It should be also mentioned that any violation of fundamental human rights of undocumented migrants is categorically denied as well in FRONTEX' note to the European Parliament (08 October 2010), which states that effective border management and respect to human rights “go hand in hand”:

The respect of Fundamental Rights (...) is unconditional for FRONTEX and is fully integrated into its activities. In fact, FRONTEX considers the respect and promotion of fundamental rights as **integral part of an effective border management** and both concepts go, therefore, hand in hand [Keller et al. 2011:22]

The same idea is repeated by Director of Operations Divisions K. Roesler who simultaneously propagates at once three discursive practices of FRONTEX – massive character of immigration to Europe (“huge amount”), separation on in- and out-groups of Europeans and undocumented migrants by welfare rate (“poor people”) and finally denial of any infringements of human rights of the immigrants, calling it a part of FRONTEX' portfolio and emphasizing the importance of cooperation with human rights organizations:

If we consider the **huge amount of poor people who want to go to the EU, who are willing to risk everything for that, we cannot ignore the responsibility to respect the fundamental rights of those in need.** This is a basic element in all joint operations coordinated by FRONTEX. It is a **part of our 'portfolio' to liaise with human rights organizations** such as the UNHCR, and to get their input and expertise. And again, in this respect we provided added value [Doriso, 2011]

As the practical realization of the declared principles of the supremacy of human rights in the agency's activities, the Management Board of FRONTEX adopted in 2011 the Fundamental Rights Strategy with the aim “*to prevent possible violations of fundamental rights during (...) operations by, on one hand,*

developing the requisite knowledge and skills of participating officers and, on the other, implementing proper monitoring mechanisms based on reporting to the competent authorities and sanctioning, applying a zero tolerance policy” [FRONTEX, 2011a:1]. According to one of its provisions, “FRONTEX is to adopt and to display an exemplary attitude based on concrete practical initiatives, and the adoption and promotion of the highest standards in border management practices, allowing for transparency and public scrutiny of its activities” [FRONTEX, 2011a:2]. In this context, one of the agency’s press releases expresses an idea which should be analyzed in a rather skeptical way:

Its endorsement represents a further important step in FRONTEX’s ongoing efforts to **formalise an emphasis on fundamental rights** at every level of its activities. This is **part of a gradual process rather than a sudden change of policy** [FRONTEX, 4 April 2011]

The principal point here is to emphasize that respect for human rights has always been at FRONTEX’ centre of attention and that adoption of Fundamental Rights Strategy should be considered only as “formalisation” of the “gradual process” and not as a “sudden change of policy”. However, the initial constitutive documents of the agency practically do not refer to respect for human rights. Thus, the Regulation 2007/2004 establishing FRONTEX contains only one provision (Article 22) which declares observance of EU legal norms in the sphere of human rights in a common way for other EU agencies and bodies without making any special accent on specificity of FRONTEX’ mission and the protection of immigrants’ rights:

This Regulation respects the fundamental rights and observes the principles recognised by Article 6(2) of the Treaty on European Union and reflected in the Charter of Fundamental Rights of the European Union [Council of the European Union, 2004:349/2]

It would be more logical therefore to assume that the episteme of respect for human rights has been included in FRONTEX’ discourse after the agency’s first joint operations (especially Hera I and Hera II), which were severely criticized by human rights organizations and pro-migrants groups for infringement of

fundamental rights of undocumented migrants. Under this pressure and being influenced as well by the Member States, FRONTEX has included in its discourse the humanitarian component which was supposed to mitigate the criticism. This position was supported by the Council of EU and the European Parliament - the amended Regulation of FRONTEX activities in 2011 contains already several direct demands to respect fundamental rights of immigrants:

The development of a forward-looking and comprehensive European migration policy, **based on human rights**, solidarity and responsibility, especially for those Member States facing specific and disproportionate pressures, remains a key policy objective for the Union [Council of the European Union, 2011:304/1]

Union policy in the field of the external borders aims at an integrated border management Ensuring that all measures taken are proportionate to the objectives pursued, are effective and **fully respect fundamental rights and the rights of refugees and asylum seekers, including in particular the prohibition of *refoulement*** [Council of the European Union, 2011:304/2]

Establishing cooperation with third countries is also relevant with regard to promoting Union standards of border management, including **respect for fundamental rights and human dignity** [Council of the European Union, 2011:304/3]

The analysis of FRONTEX' discourse has therefore shown how the humanitarian aspect of the agency's operational activities and the episteme of respect for fundamental rights are aimed at distracting attention of the audience from the real matter of joint return operations and to present FRONTEX' activities as the indispensable element of saving immigrants' lives and non-admission of their exploitation by the criminal circles of traffickers.

4. Conclusion and discussion

The analysis of FRONTEX' discourse on illegal migration, which has been undertaken in this dissertation, has given an opportunity to examine the most important and frequent discursive practices and techniques which are applied

by the agency's researchers and experts during elaboration and subsequent transmission of certain understandings and ideas in the domain of undocumented migration and control of the external borders of the European Union. The five-stage model of discourse analysis suggested by R. Wodak allowed to effectuate profound analysis of the broad specter of sources and single out several essential subjects (*topos*) which are regularly adverted to in FRONTEX' discourse. The special focus which has been made on using various rhetorical devices in the agency's discourse (metaphors, hyperboles, superlative forms of adjectives, etc.), in the contrast with highly "officialised" and sometimes "managerial" language which is distinctive for FRONTEX' documents and publications, has revealed the topics which evidently present particular interest for the agency.

In the beginning of this dissertation it has been suggested that a broader and more comprehensive conception of power, than those which have been already used in the existing literature, should be applied in order to be able to analyse the power of FRONTEX on a more subtle and invisible level. Thus, the conception of epistemic power has allowed investigating discursive practices through which FRONTEX has the possibility to construct specific problems, propose the ways of their solution, shape understandings and fix meanings among the audience of its discourse on the issues which are important for the agency. In this chapter of the dissertation, the compilation of FRONTEX' principal discursive practices will be worked out in the framework of epistemic power of the agency which is constituted through its public discourse. Having in mind that epistemes present "background intersubjective knowledge – collective understandings and discourse – that adopt the form of human dispositions and practices that human beings use to make sense of the world" [Adler and Bernstein, 2005:295], FRONTEX' discursive practices will be classified to reveal which epistemes are constructed in the agency's discourse and therefore through which of them FRONTEX' epistemic power can be constituted. According to V. Schmidt, the discursive processes help explain why certain ideas succeed and the others fail because of the ways in which they are projected to whom and where – but the discourse itself, as representation as well as process, also needs to be evaluated as to why it succeeds or fails in

promoting ideas [Schimdt, 208:309]. Taking this into account, the influence of certain discursive practices on the concrete activities in the framework of the epistemes, which are constructed in FRONTEX' discourse, will be discussed. The generalizing table given below provides a classification of the agency's major discursive practices and traces their compliance to more general "epistemes", which should be understood here as the system of collective understandings among the audience of FRONTEX' discourse. Taking into consideration the fact, that the audience of the agency's discourse includes numerous actors, the key addresses of each discursive practice is also defined.

Episteme	Discursive practice of FRONTEX	Key audience
Positive image of FRONTEX	Effectiveness of the agency's activities	Member States EU institutions European citizens
	Cost-efficiency	Member States EU institutions
	Trustworthiness	European citizens
	Victimization of undocumented immigrants	Human rights organizations Pro-migrant groups
	Supremacy of respect for fundamental rights	Human rights organizations Pro-migrant groups
	Humanitarian component of the agency's activities	Human rights organizations Pro-migrant groups European citizens
Insecurity and risk	Presenting migration as mass phenomenon	European citizens
	Criminalization of migration	European citizens
	Constructing the image of "illegality" of migration	European citizens

This table shows the paradox of discrepancy between two major epistemes constructed through FRONTEX' discourse – from the one hand, the agency is by all possible discursive techniques and tools trying to shape the image of

highly professional and trustworthy institution which is guided in its activities by the respect for fundamental rights and sees one of its main duties in saving peoples' lives in the course of rescue operations. From the other hand, the agency is emphatically creating the image of insecurity and risk caused by external threats. By presenting the main source of danger coming from the side of criminal traffickers and not from undocumented migrants themselves, FRONTEX is obviously trying to legitimate its securitization practices [Leonard, 2011], but at the same time it is seeking to indemnify itself from harsh criticism of human rights organisations. This strategy can be considered as *discursive simulation* of language used in the agency's discourse on undocumented migration, which is intended to pay the reader's attention to "charitable philanthropic connotations such as the protection of defenseless groups of individuals and images of an ethical politically neutral agency" [Horsti, 2012]. In this case, the focus of attention is shifted and the issues directly related with border control, especially joint return operations, stay in the shadow.

Obviously, this approach does not at all correspond to such requirements of governance associated with epistemic power as epistemic validity and practical reason. In the majority of cases, discursive mechanisms applied by FRONTEX' experts for writing the agency's reports, strategies and press releases are intentionally presenting certain issues in exaggerated or minimized light and thus trying to exercise a significant effect on the interpretation of expressed thoughts by the audience in the way, which is advantageous for the agency. The provided information can be neither judged as impartial and unbiased, as FRONTEX' discourse analysis has demonstrated numerous cases when the data were manipulated in order to shape the audience's understandings in the light of the agency's interests.

This regrouping of FRONTEX' discursive practices in the compilation table given above clearly shows that each of them is aimed at the key audience and is intended to exert influence on its understandings of relevant issues. In order to give several examples of successes or failures (using Schmidt's terminology) of FRONTEX' discursive practices, and thus to show how constituted through

the public discourse epistemic power may influence specific actions of the involved actors, two concrete cases will be shortly overviewed in what follows.

The first example concerns the discursive practice of cost-efficiency of the agency. Being completely financially dependent on the Member States, FRONTEX is consequently reproducing the image of economical, efficient in allocation of resources institution. By emphasizing the high level of its professionalism and the ultimate importance of its activities, FRONTEX is trying to convince the Member States and the European Commission in the necessity of proper financing which according to its discourse is compulsory for effective control of the external borders of the EU. The analysis of FRONTEX' budgetary funds since its establishment in 2004 till nowadays allows to state that the discursive strategy of cost-efficiency and effectiveness of FRONTEX' work is successful – during first five years of its existence, the budget of FRONTEX and hence its capabilities have grown from €19 million in 2006 to €88 million in 2010 [Burrige, 2012:9] and peaked in 2011 with the record financing of €118 million [FRONTEX, 2013c:1]. This example shows how epistemic power of the agency constituted through its discourse has had an impact on specific activities of the addressee of the discourse.

Another case is connected with FRONTEX' rhetoric on respect for human rights, including the humanitarian component in its discourse and actual justification of undocumented immigrants by presenting them as victims of facilitators of migration. All these discursive strategies are a skilled attempt to mitigate the criticism from human rights organisations and pro-migrant groups. Taking into account the crucial role of these practices in FRONTEX' discourse, which has been deeply analysed in the previous chapters, it would be possible to assume that this technique could alleviate the criticism. However, FRONTEX stays in the center of attention of those who traditionally accuse it of violations of fundamental rights. Thus, in 2013 the European Ombudsman Emilie O'Reilly conducted an investigation about how FRONTEX complies with human rights standards and in the special report summoned FRONTEX to establish a mechanism for dealing with complaints about fundamental rights' infringements arising from its work [European Ombudsman, 2013]. As Ms. O'Reilly declared,

“against the backdrop of the Lampedusa tragedy and other recent humanitarian catastrophes at EU borders, it is vital that FRONTEX deals directly with complaints from immigrants and other affected persons. I do not accept FRONTEX’ view that human rights infringements are exclusively the responsibility of the Member States concerned” [UN Regional Information Center for Western Europe, 2013]. It is evident therefore that in this case relevant discursive practice has not been enough persuasive and that FRONTEX has been not endowed with sufficient epistemic power to change the understanding of its image.

It should be clarified, of course, that these two cases (as well as any other example which could have been given to demonstrate whether FRONTEX’ discourse has succeeded or failed in promoting specific ideas and therefore has or has not empowered the agency) cannot give unambiguous answer to the question on the degree of impact of FRONTEX’ discursive practices on the concrete results of the actor’s actions. There are undoubtedly many other factors which have their impact on these processes, and in addition epistemic power is a very subtle for material confirmations conception. At the same time, as it has been demonstrated in this dissertation on the example of FRONTEX, the process of constitution of epistemic power is implemented through discursive strategies, practices and technologies. Not all of them have sufficient capacity to shape ideas and understandings of other actors, but to a greater or lesser extent through its constitutive effects they may contribute to creating the future.

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